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THE PURITANS:

OR

THE CHURCH, COURT, AND PARLIAMENT OF ENGLAND,

DURING THE REIGNS OF

EDWARD VI. AND QUEEN ELIZABETH.

BY

SAMUEL HOPKINS.

"The Liberties of our House it behooveth us to leave to our Posterities in the same freedom we have received them."

Committee of the Puritan Commons to the Lords, 1575–6.

IN THREE VOLUMES.

VOL. III.

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Declaration of the House of Commons to King Edward VI. in 1547.

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PURITANS AND QUEEN ELIZABETH

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PREFATORY NOTE.

In the course of the following pages I have cited several authorities not mentioned in the catalogue prefixed to my first volume. When I have first had occasion to notice any one of these, I have — without exception, I think — identified the edition in a note.

I have occasionally referred to "Waddington's Papers" and to "Waddington's MS." By the former I designate certain papers with which I was furnished by the politeness of Rev. Dr. Waddington, Pastor of the Pilgrim Church in Southwark, England, while on his late mission to this country. One of these papers — a letter written in April, 1593 — I consider of great value; and I think I have shown it to be such.

By "Waddington's MS." I designate a work, yet unpublished, written by the same gentleman, and entitled "The Hidden Church." This manuscript is in the hands of "The Congregational Board of Publication," and has been generously lent to me by their Publishing Committee, who have allowed me to use it at discretion. I have rarely quoted from it, but have often referred to it. In either case, I could not, of course, specify the *pages* which I cite, as I certainly should have done, were it already published. Some of "Waddington's Papers" are contained in his man-

uscript volume. But as I was previously furnished with them by Dr. Waddington himself, I have used them independently of the favor of "The Publishing Committee."

"The Hidden Church" is a history of the early struggles of ecclesiastical Independency, from its development under the reign of Queen Mary to its establishment on the shores of New England. It is a work of much interest, and the delay of its publication is to be regretted.

In prosecuting the task which I now conclude, I have found it necessary to procure from England a few volumes — rare and of old date — which were essential to my purpose. A few others have been furnished to me from the libraries of private gentlemen. With these exceptions, I have depended upon generous and protracted loans — most freely granted — from the libraries of Harvard College, the Boston Athenæum, Brown University, the University of Vermont, Amherst College, Yale College, and the Berkeley Divinity School in Middletown, Connecticut.

The unfailing courtesy which I have received from these sources during the five years of my labor, I most gratefully acknowledge.

S. H.

NORTHAMPTON (Mass.), April, 1861.

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THE PURITANS.

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THE TEMPER OF THE PRELATES.

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1585, 1586.

THE administration under which the Puritans had been so severely educated was not that of Episcopacy. No form of ecclesiasticism ever wrought, of itself, by such measures, ever so defeated its own aims, or ever so effectually and rapidly moulded the manhood of a nation into another form than its own. Pure ecclesiasticism — in distinction from pure religion — has no such power. Had the English Church been framed after any other model, the struggle and the result would have been the same. There was no inherent vice in Presbyterianism. There was none in Episcopacy. But in the covenant between Church and State, there was. With only here and there an exception, this bond had been the canker-vice of Christendom for eleven

centuries or more. Taking to herself an arm of flesh, contrary to the spirit and to the letter of her Charter, the Church had marred her own visage and tainted her own blood. The legitimate power of princes, too, by the same alliance had been spoiled. Within the sphere of spirituals, for which it had no fitness, and lording it over conscience, for which it had no sufficiency, it had degenerated to a ruthless tyranny, and thus had begun to undermine its own foundations.

To arrest the deplorable degeneracy of each, to dissolve their incestuous union, to restore both Church and State to their proper provinces and works, God chose as his instruments a people pre-eminent among the nations for true and vigorous manhood; a people, therefore, peculiarly fitted to his work. Neither in Germany nor in Switzerland had ecclesiastical and religious reform been adapted to results so large, so grand, so vital to *all* the interests of men, as were inwrapped in the movement to which his providence led the sturdy minds of Englishmen. Nowhere else had the first step been taken *tending* towards the severance of ecclesiastical and civil jurisdiction. Nor was this grand result, as yet, within the purpose of the English Presbyterians. They were indeed cherishing its germ; but its development was in the distant future, so far as *they* were concerned. It was planned by God, but not by themselves. We have traced only their initial steps.

Originally, they who wished for reform in the Reformed Church of England had no conception of the work in which they were engaged. In their

own minds, contending only against the old idolatry fostered by a genuflection, an airy cross, a linen stole, Hooper and Knox, Fox and Coverdale, had unwittingly struck at the ecclesiastical supremacy of the Crown, and planted the mattock where foundations were to be laid for another and a better structure. Their disciples, goaded by the magistracy whose domination they had aroused, wrought as God's workmen to undermine and to build, not yet understanding the character and magnitude of their work. Like the carriers of wood and mortar, of brick and stone, each one bore his burden hither or yon, and made his contribution to a great plan which only the architect himself had yet conceived. The plaints and remonstrances of the laborers had but increased the demands of the masters; until a conflict of opinions sprung up, and the ecclesiastical pressure of the State had *forced* to the birth, and had fostered, principles which might otherwise have remained in embryo. To her astonishment, Despotism found that her own vassals, under her own orders, were rearing a citadel adverse to her own; and the oppressed, to their astonishment, had now a dim perception of that civil franchisement to which they were tending, and which might be the fruit of their irksome education.

Notwithstanding the hearty and even chivalrous loyalty which was the glory of Elizabeth's reign, her will, enforced by all the machinery of her ecclesiastical establishment and by all the servility of her civil courts, was impotent against the progressive energy of that religious and political liberty which her own coercion had evoked. The Puritans

had been pushed from point to point until they had come, as we have shown, to plant themselves upon the broad platform of the English constitution, and to claim their rights boldly as English freemen. In this position we shall henceforth find them.

But Puritanism had not only taken higher ground, proclaimed indefeasible doctrine, and appealed to law for protection from law, but it had made rapid progress through the land. So early as 1573, it had acquired such strength in the diocese of London — the headquarters of loyalty — that Bishop Sandys had confessed to an utter inability on the part of himself and his brethren to withstand it. Nor were his antagonists the Puritan clergy only; for he distinctly avowed that, "in the eyes of the basest sort of the people," the prelates had "become contemptible, their estimation little, their authority less."[1] We have also seen how, in the year 1581, in the single county of Suffolk, Puritanism had made such progress — not among "the basest sort of people" only, but among the gentry and the magistrates — that prelatic authority was baffled and almost neutralized.[2]

But the increase of Puritanism, both in its religious and in its political forms, its increase among the electors throughout the realm, is most distinctly indicated by the spirit of the popular branch of the Parliament. In the year 1575, the Commons, though respectful, had been distinctly restive under the arbitrary pretensions of the Crown; and "for five years afterwards the queen did not convoke

[1] *Ante*, Vol. I. 455. [2] *Ante*, Vol. II. 282, 283, 291.

Parliament, of which her dislike to their Puritanical temper might in all probability be the chief reason";[1] and after the session of the year 1580–1, it was dissolved. Yet the new Parliament of 1584–5 had, in its House of Commons, a more resolute, manly, and daring Puritan representation than any previous one; not excepting that of the year 1566. Of this, we think our sketch of its proceedings is sufficient proof. But this is not all. While the character of this House indicates fairly the growing prevalence and intensity of "the Puritanical temper," the same fact is avowed — inadvertently, we think — in the answer of the bishops to the eleventh article of the Petition for reformation in the Church. We say so, because in that answer it is distinctly stated that the people — gentry as well as "the basest sort" must have been included, to make the point good — had become so infused with the Puritan element that they would not complain of their ministers, "although they *clean* alter the order of service and administration of the sacraments." From this admitted fact, the prelates emphatically argued the necessity of enforcing the oath *ex officio mero*, as the only means, in most cases, of detecting nonconformity.[2]

As it was no part of Archbishop Whitgift's policy to concede anything to those who struggled for ecclesiastical reform, so it was no part of his policy to mingle forbearance with a mild exercise of authority in his dealings with those who swerved

[1] Hallam, 127. *Ante*, Vol. II. 179.

[2] *Ante*, Vol. II. 472, 473.

from the prescript forms of the Church, or who contravened his discipline. This he had distinctly avowed in a letter to the Lord Treasurer Burleigh,—"a mild kind of proceeding with them doth them rather harm than good."[1] The late action of the House of Commons had roused his apprehensions; for the ecclesiastical courts had been attacked, and the bishops, particularly, had been charged with violating the common law of England. In such bold and public proceedings he saw the rising of that tide of manly thought which he had impotently striven to suppress. Unless he had a larger measure of meekness than we can credit him with, he was not only roused, but irritated by such attacks; and the more, because conscious of their justness. Under this excitement, and true to his contempt of lenity, he summoned anew the power of the Church, not only for discipline, but for retaliation. It has been generously said that "Whitgift, though severe, was not vindictive."[2] Possibly; yet his first action after the dispersion of the last Parliament has at least a vindictive aspect.

His controversy with Robert Beal, Clerk of the Privy Council, will be remembered.[3] It had been personal, sharp. The Puritan had been bold, unsparing, perhaps disrespectful. The Primate had been stung, and out of temper. Mr. Beal had afterwards taken his seat in the House of Commons, had served on the committee to arrange the Petition for ecclesiastical reform,[4] and had distinguished himself by discussing, in the House, and in

[1] Strype's Whitgift, 155.
[2] Marsden, 169.
[3] *Ante*, Vol. II. Chap. XV.
[4] D'Ewes, 340.

face of her Majesty's express command, matters of ecclesiastical jurisdiction.[1] For this freedom of speech he had been "committed"; whether at the Archbishop's instigation or not we can only conjecture. But immediately after the prorogation of Parliament, "some of the busy men in it against the Church's present constitution, and the furtherance of those bills, were *taken notice of*";[2] and his Grace made a special and vigorous attempt to crush his personal adversary. "The Archbishop thought it a convenient time to lay against him" certain grave charges, and "drew up his schedule thereof" in the form of an accusation, "that so dangerous a zealot might be called to account."[3]

It has been supposed, and not without reason, that this accusation was laid before the Privy Council, for the purpose of bringing Mr. Beal to trial in the Star-Chamber.[4] The charges were, that he had spoken in Parliament contrary to her Majesty's command; that he had written and published books against the hierarchy and the queen's power in spirituals, against oaths ministered in the courts ecclesiastical, against the right of the Court of the High Commission to imprison, to fine, and to enforce the oath of inquisition; and — what deserves special notice — that "he condemned (without exception of any cause) racking of grievous offenders as being cruel, barbarous, contrary to law and the liberty of English subjects."[5]

We cannot but ask, Who was in advance of his

[1] Strype's Whitgift, 212.
[2] Ibid., 211.
[3] Ibid.
[4] Neal, I. 166.
[5] Strype's Whitgift, 212.

age, who was nearer to the light of mercy, justice, human rights, and Christianity, the mitred Churchman or the intrepid Puritan? Who manifested the greatest moral courage, the prelate who feared all investigation of moral and civil questions or the Puritan who denounced the tyrannous usages of the day, and threw himself into collision with the royal prerogative of *such* a queen?

We have no further trace of this transaction. But the Clerk retained his position and the confidence of his queen. The incident, trifling in itself, has no little historical interest, because the Archbishop's failure to chastise this writer of "seditious books," so called, shows that the Council were in advance of the prelate on the scale of liberal principles and on that of humanity. It indicates that they were less willing to punish free speech in Parliament, had less reverence for the unlawful, oppressive proceedings of the ecclesiastical courts, and less liking for questioning by the rack. It confirms what we have already said, that Whitgift was below the level of his age.[1]

But the books of the "dangerous zealot," Beal, had suggested to his Grace another mode of proceeding. In his opinion, it was at the peril of the Church established "that so many disaffected books were daily published and dispersed against its religious worship and episcopal jurisdiction. They were scurrilous libels," — so every book was esteemed which did not square with every ordinance ecclesiastical, — "whereby many men became prejudiced against conformity, and their minds blown up with

[1] *Ante*, Vol. II. 440.

discontents and doubts about the usages and present practices of the Church. It was necessary to have a strict watch there," lest the episcopal structure should be battered down or undermined by the Press. To effect this, he wrought directly with the queen; — for again "her Majesty must be his refuge." He applied himself adroitly to her sensitive jealousy touching her ecclesiastical supremacy, informing her both of the prevalence and of the dangerous tendency of these public discussions. When she reminded him that sundry decrees and ordinances had already been made for repressing such abuses of the Press, his Grace replied, that, "notwithstanding these decrees, yet such abuses were nothing abated, but did rather more and more increase; as did also, and as a consequence, sundry intolerable troubles, as well in the Church as in the civil government of the State; that this increase of evils was because the pains and penalties set down in the said ordinances and decrees were too light and small for the correction of so grievous and heinous offences." Her Majesty was roused, and, "of her most godly and gracious disposition," gave "*special order*" to "the Archbishop and the Lords of her Privy Council to see that speedy and due reformation be had of the abuses and disorders aforesaid." A decree was therefore "framed by the Archbishop's hand," which was "confirmed and set forth on the twenty-third day of June, 1585, by the authority of the Star-Chamber."

By this decree it was ordained: —

"That no presses should be set up or used besides those in London, except one in the University at

Cambridge, and one in the University at Oxford: That every printer should within ten days render an inventory of his implements; upon pain to the delinquent of having the same utterly demolished, and of being imprisoned twelve months: That no press should be set up in any obscure place; upon pain to the offender of imprisonment for one year, and also of being disabled forever from using his trade, *except as a journeyman* for wages: That no new presses should be set up, and that none set up within the six months last past should be used, until their excessive number should have been so reduced as might seem good to the Archbishop of Canterbury and the Bishop of London; upon pain to the offender of the destruction of his implements, and of imprisonment for a year: That no one should print any book against the meaning of any law of the realm or injunction of her Majesty, nor should any one print any book at all unless the same be first read[1] by the Archbishop of Canterbury or by the Bishop of London; under pain to the printer in either case of being disabled from *any* practice of printing and of being imprisoned six months: That sellers or binders of any *such* books should be imprisoned three months: And that the wardens of the Company of Stationers might search for all such books *wherever* they should have reasonable cause of suspicion, and destroy all presses and other instruments set up or used contrary to the meaning of this decree." Other articles were added, limiting the number of apprentices for each class of printers.[2]

[1] "And approved" is not expressed, but intended.

[2] Strype's Whitgift, 222, 223. Appendix, No. XXIV.

This decree, "framed by the Archbishop's head," shows clearly how much he trembled for the ecclesiastical constitution and courts. He had reason to tremble (and, politically, he was right); for despotism cannot withstand the shocks of an unfettered press. He had reason to tremble (and, politically, was wise); for the Establishment had no hold upon the affection and esteem of the great body of the people. We have stated facts enough to show — though we have more in reserve — that it was sustained only by awe of the Crown and by the arbitrary severities of the prelates. We say, "their arbitrary severities"; for if "in the ecclesiastical courts they had such infinite exceptions to witnesses," that even in civil cases there adjudicated "it was at the will of the judge, *who was not sworn* to do justice, with which party he should give sentence,"[1] how much justice was to be expected under a charge of delinquency or of misdemeanor purely ecclesiastical, when the judge himself, directly or indirectly, was a party in the case? We shall be able to throw some light upon this question before long.

The court of High Commission had not been idle, nor had they abated their unlawful measures, since their last proceedings, of which we have taken note. We have been sparing of our record of individual cases which they prosecuted, or there would have been no end to our task; for it has not been our aim to show the wide *extent* of misery and wrong inflicted upon men good and peaceable, but to produce specimens only sufficient to show the various ways in which the Commissioners set at defiance

[1] Coke, Part XIII. p. 44.

alike the common law of humanity and the common law of the realm. With this object in view, we shall now and hereafter detail a few of the most flagrant and memorable prosecutions.

About the close of the year 1583, a certain curate in the county of Cornwall presented a complaint before the Court of High Commission against Eusebius Paget, the rector of Kilhampton, of whom slight mention has been made before.[1] Mr. Paget, like many other most loyal Puritans, in his prayers for the queen had spoken of her only as sovereign of the realm, not as governess of the Church. In his preaching, he had said at different times: "That he disliked the use of organs in Divine worship: That ministers who did not preach were dumb dogs:[2] and that those who had two benefices were knaves," — meaning, if indeed he used the word "knaves," that such incumbents defrauded the Church of Christ by preventing a sufficient supply of the preached word and of pastoral care. He had also uttered some other sentiments which the curate had reported as heretical. But these charges, intended to impeach both the loyalty and the orthodoxy

[1] *Ante*, Vol. II. 266.

[2] This phrase, often in the mouths of the Puritans, requires a word of explanation. It was not used by them in the way of scurrilous reproach or contempt for the men to whom it was applied; but with grief, seriously, and only to indicate (what was a deplorable truth) that, while they were stationed within the walls of Zion, like watch-dogs around a citadel, to give alarm upon the approach of enemies, they, being dumb or unpreaching, did not answer the very purpose of their office, and so were unfit for it. The phrase, in this its application, was peculiarly significant; and was derived from a respectable source, — the book of the prophet Isaiah, chapter lv., verse 10, "His watchmen are blind, they are all ignorant, they are all dumb dogs, they cannot bark."

of Mr. Paget, were not proceeded upon by the Commissioners. They only took occasion thereby to arraign him, in January, 1583–4 upon the general charge of "refusing to observe the Book of Common Prayer and the ecclesiastical rites and ceremonies."

It was true that he had not used *all* the rites and ceremonies set forth in the book; yet he had used no others, and had in nearly all particulars followed the book itself. But, before his induction, both his *patron* and his *ordinary*, respecting his scruples and esteeming his learning and his popular talents, had expressly and of their own accord stipulated that if he would but accept the cure, he should not be urged to the precise observation of the book. On the ground of this voluntary stipulation, and in all honesty conceiving it to be a sufficient and a *legal* dispensation for the few omissions in the prescript service to which his conscience urged him, he had consented to his spiritual charge. These things he pleaded in defence; and added a written request that "he might have the liberty" — warranted, in such cases, by ecclesiastical law and usage — "of some reasonable length of time and of a favorable conference with his ordinary, or with some others by the Commissioners appointed." This answer seems to have had some weight; for, instead of setting it aside and proceeding to sentence for nonconformity, the Court immediately ordered Mr. Paget to subscribe to the "Three Articles." For *refusing to do this*, he was immediately suspended from exercising the ministry. Meekly obeying the sentence, he officiated no more until the Archbishop himself "released

him" from it. He then resumed the functions of the ministry. For *this*, and for omitting part of the public prayers, the sign of the cross in baptism, and the surplice, the Commissioners deprived him of his living.

Against these proceedings it was argued at length before the Court, and by learned civilians, "That the suspension, even had it been for nonconformity, was contrary to all ecclesiastical law;[1] because in cases like this, where the delinquent was such through conscientious doubts, he was entitled to the benefit of reasonable time and of conference for the purpose of having his doubts resolved, which had not been granted to Mr. Paget, although he had requested it;[2] and because, by the same law, the delinquent should have had three several canonical admonitions before sentence of suspension,—whereas in this case not even one had been given. But"—the civilians further argued—"the suspension was not for nonconformity, but for refusing to subscribe articles which the Court had *no warrant* to offer, for their authority reaches no further than to reform and correct facts done contrary to certain statutes specified in their commission,[3] and contrary to other

[1] I would add, and consequently contrary to the statute 1 Eliz., Cap. I. Sec. VIII., from which the Commissioners originally derived their authority; and also contrary to 1 Eliz., Cap. II. Sec. XI., which requires ecclesiastical officers to proceed "in like form as heretofore hath been used in like cases by the queen's *ecclesiastical* laws."

[2] Neal states this point thus: "Because he had not time, nor a conference, as he craved, and as the *statute* in doubtful matters warranteth." I do not know of any statute provision to that effect, unless by implication in the statutes referred to in the preceding note. I have therefore understood "the warrant" to have been based on *ecclesiastical* law. The words "doubtful matters" I have paraphrased, to give clearly what I conceive to be their true meaning.

[3] *Ante*, Vol. II. pp. 387–389.

ecclesiastical laws; and there was never yet any clause in their commission to offer subscription to articles of their own devising."

As to Mr. Paget's irregularity in exercising the ministry after suspension, "supposing the censure was valid," yet he had obtained from the Archbishop himself a release from that suspension before resuming the ministry. Now, even if this release was not sufficient, it was apprehended by Mr. Paget to be so, the Archbishop being chief in the Commission; and "*all* canonists allow that mistakes of ignorance, being void of wilful contempt, are a *lawful* excuse to discharge irregularity." But although these and other points were "argued at length," showing clearly the illegality of the censures, the Court with unblushing brow persisted in their act, and Mr. Paget's living was given to another.

The poor man then betook himself to keeping a small school, as the only means in his power to meet the necessities of a large family. But "the relentless court pounced once more on their mangled victim, requiring him to take out a license; and, as a previous condition, to subscribe the Articles"[1] of Religion,—*all* of them;[2] and, because he could not do this, refused him a license, shut up his school, and left him and his family to beggary. Their curse was upon him as long as Archbishop Whitgift lived.[3]

It is not, however, the illegality of these proceedings merely which claims our notice; but their wanton and seemingly malicious cruelty. First of all, the prosecution seems to have been instituted

[1] Marsden, 166.
[2] Strype's Whitgift, 377.
[3] Neal, I. 170, 171. Brook, II. 253.

to gratify a private pique of the complainant, — a thing of frequent occurrence even in the case of Puritan conformists. But more, it seems to have been a wanton prosecution on the part of the Commissioners; for Mr. Paget was a quiet, peaceable man in the exercise of his ministry, attached most affectionately to the Established Church, and had prelatic license for each of the offences which were alleged against him, and for which he suffered unto beggary. "A very good, quiet, and learned man," even Mr. Strype confesses; "one of those very peaceable and honest preachers upon whom the rigorous requirement of subscription to the Three Articles bore hard sometimes"; — how many times? — "who *duly* complied with the customs and devotions of the Church enjoined, but could not so fully acquiesce therein as to *approve every* particular rite and usage."[1] This is a large and an important admission on the part of this historian, and we thank him for it, for it bears seriously upon those Church historians who have followed in his wake, but who, unlike him, represent that "peaceable nonconformists were unrestrained and unmolested."[2] Even under all his persecutions and through all his years of pinching penury, he was submissive to the strokes of his ecclesiastical superiors and faithful to the services, to the sacraments, and to the unity of the Church. This appears clearly from a pathetic letter which he wrote some years afterwards to the Lord Admiral Howard "by whom he was much beloved."[3]

[1] Strype's Whitgift, 377.

[2] Nares' "Life and Times of Lord Burleigh, III. 13, 344, 350.

[3] Strype's Whitgift, Appendix, Book IV., No. XI. Marsden (166) and Neal (I. 171) are mistaken in supposing this letter to have been addressed to Sir John Hawkins.

"It is some consolation to record," says that candid writer Mr. Marsden, "that upon the primate's death Mr. Paget was reinstated in the ministry, and presented to the living of St. Agnes in Aldersgate. Kindness accomplished what severity had assayed in vain. A virtuous and godly minister was restored to usefulness and honor, and died in conformity with the Church of England."[1]

We trust this case may be remembered, as redolent, not only of the bald illegality, but also of the persistent inhumanity, of Archbishop Whitgift's administration. "Pages," adds Mr. Marsden, "might be filled with similar details." He might have said "volumes."

In the year 1584, Bishop Aylmer suspended thirty-eight laborious and devoted clergymen, in the county of Essex alone, for the single offence of not wearing the surplice, and threatened to proceed to their deprivation, saying, "that they should be white with him, or he would be black with them."[2] For the same offence, a Mr. Knight was imprisoned six months and fined one hundred marks.[3]

In the year 1585, Mr. Thomas Carew, minister of Hatfield, in the county of Essex, was brought before the High Commissioners. Mr. Strype says, that "he could not speak three words of Latin, and took upon him to preach without authority, nay, against authority";[4] and Collier, that "he had his mission *only* from the people's election."[5] Yet

[1] "Early Puritans," 167.
[2] Neal, I. 167, note.
[3] Ibid., 167.
[4] Strype's Aylmer, 120, 121.
[5] Collier, VII. 43.

he had been educated in the University of Oxford, ordained by the Bishop of Worcester, and licensed by Archbishop Grindal and by Bishop Aylmer himself, who had also much commended his preaching. Mr. Carew happened to offend his lordship by informing him that "in Essex, within the compass of sixteen miles, were twenty-two non-resident ministers, and thirty who were insufficient for their office and of scandalous lives, while at the same time there were nineteen who were silenced for refusing subscription." His lordship immediately took occasion to summon him before the Commissioners, where various charges were brought against him, some of which it is recorded were false, and others were certainly improbable. But instead of proving the charges, or attempting to prove them, the bishop offered him the oath *ex officio*, and then sent him to the Fleet prison for refusing it. Another clergyman was sent to supply his cure, whom Mr. Allen, the patron, refused to admit, as he had a perfect right to do, and probably, as will appear, had good reasons for doing. For this he also was committed to prison. Both offered bail, which was refused except on the conditions, which they would not accept, that the patron would admit his lordship's clergyman and that Mr. Carew would preach no more in the diocese without further license. After being in prison eight weeks, they appealed to the Council, who liberated them. By this his lordship was incensed, and wrote to their Honors, that, "if such men — precisians, petty gentlemen, *fools*, *rebels*, *and rascals*[1] — were countenanced, he, for his part,

[1] Neal, I. 167. Brook, II. 168.

must yield up to her Highness all authority which he had received at her hand."[1] But the bishop never ceased to persecute Mr. Carew until he had driven him out of his diocese. To conclude: The clergyman who had been sent to Hatfield in Mr. Carew's place was soon found guilty of adultery, and when Bishop Aylmer was entreated by the parishioners that for this crime he might be removed, and that then their former minister might be restored, his lordship replied, that "for all the livings he had, he would not deprive a poor man of his living for the fact of adultery."[2] So much more unclerical and criminal did the Precisians of the day consider the breach of ecclesiastical forms than the breach of the seventh commandment of the decalogue!

In the year 1586, John Gardiner, minister of Malden in Essex, was deprived by Bishop Aylmer and committed to Newgate,—where he sickened of the jail fever,—for matters falsely laid to his charge *seven years* before, and of which he had *been acquitted by a regular course of law*.[3] So that Bishop Aylmer proceeded in open contempt of the decisions of the civil courts, and of that provision in the Act of Uniformity which limited prosecution for offences committed or alleged to a certain time.[4]

We turn to one case more. In this same year, Thomas Settle, minister of Boxford in Suffolk, was cited before Archbishop Whitgift and his colleagues in Commission, to answer to the following articles: That he did not observe the order in the Book

[1] Strype's Aylmer, 122.
[2] Brook, II. 166.
[3] Brook, I. 316, 317.
[4] 1 Eliz., Cap. II. Sec. VIII.

of Common Prayer: That in baptism he did not use the sign of the cross, nor admit the promise and vow: That he did not marry with the ring: That he frequented conventicles: That he denied the lawfulness of private baptism by women, and of baptism by ministers who could not preach: and, That he denied that the soul of our Saviour went to the regions of the damned. This last charge was the only one upon which he was examined; and the examination was as characteristic as brief.

"I confess it to be my opinion," said he, "that Christ did not descend locally into hell, and in this opinion I am supported by Calvin, Beza, and other learned men."[1]

"You are an ass, a dolt, a fool; and they are liars," replied the Archbishop.

[1] "About this time, the profoundly learned Hugh Broughton wrote his book on Christ's descent into Hades, to prove that Hades was a general term for the world of souls, and not to be confounded with Gehenna, or Hell, the place of punishment." (Collier, VII. 43, note. Strype's Whitgift, 482.) That the soul of our Saviour, after his crucifixion, went to the world of woe, was the generally received doctrine of the Church of England. (Brook, II. 222.) Except Bishop Aylmer, who was a tolerable Hebraist, I find none but Puritans who at this time held to the true Scriptural meaning of that Article in the Creed, "He descended into hell." Dr. Bancroft, Dr. Cooper, Dr. Bilson, Archbishop Whitgift, — a man of "*bare Latin studies*" (Biog. Britannica, II. 610), — and other prominent Churchmen, held to the false interpretation. But "at length, and after much strife, Broughton — accounted the very rabbi of the age — brought off the Archbishop." (Strype's Aylmer, 246, 247.)

From Dr. Cooper's "Admonition to the People of England," printed in 1589, I give the following extracts. "He" — Archbishop Whitgift — "firmly believeth that Christ in soul descended into hell. All the *Martinists*" — Puritans — "in Christendom are not able to prove the contrary: and they that endeavor it do abuse the Scriptures, and fall into many absurdities." (p. 33.) "The Article of the Common Creed touching Christ's descension into hell, contrary to the sense of all ancient writers, hath been strangely interpreted, and by some with unreverent speeches flatly rejected." (p. 103.)

"Your lordship ought not to rail at me, being a minister of the Gospel."

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"What! dost thou think it much to be called 'ass' and 'dolt'? I have called many of thy betters so."

"True," — and in that word was a world of meaning, — "but the question is, How lawfully?"

"Thou shalt preach no more in my Province."

"I am called to preach the Gospel, and I will not cease to preach it."

"Neither you nor any one in England shall preach without my leave"; and the Archbishop immediately commanded him to be taken close prisoner to the Gate-house.

"Have you subscribed?" asked the Dean of Westminster.

"Yes; I have subscribed, and am ready to subscribe again, to the doctrine of faith and the sacraments, being as much as the law requires. But to other rites and ceremonies, I neither can nor will subscribe."

"Then," said the Archbishop, "thou shalt be subject to the ecclesiastical authority."

"I thank God," replied Mr. Settle, "you can use violence only on my poor body"; a noble reply and worthy of any Christian martyr.

The Archbishop then committed him *close* prisoner to the Gate-house, where he was confined about six years.[1] His tendencies to "Independency" are manifest in the bold and decisive manner in which he met the threats of the Primate, particularly in his round assertion that "preach the Gospel of Christ he would." Those tendencies were but de-

[1] Brook, II. 46, 47.

veloped by the imperious and insulting words which we have recited, and by "the Ecclesiastical authority" which followed. Mr. Settle went to the Gatehouse a non-conforming Puritan only. He came out utterly alienated from the Established Church.[1] Archbishop Whitgift certainly made one Brownist; and we have a grave suspicion that he made thousands.

We turn aside a moment to notice two statements which concern the Puritans about this time. It is said, that Lord Burleigh made a sagacious experiment, having the aspect of a conciliatory overture, to demonstrate the impossibility of accommodating the differences in the Church. It is stated that he requested the Presbyterians to frame such a liturgy as they desired to have in lieu of the one authorized by law; that some of them did so; that others of them dissented from this draft, and framed another; that still a third party dissented from these two; that a fourth party dissented from all the others, and that his lordship hereupon "smoothly" "put them off until they should present him a pattern with perfect consent." A "somewhat amusing manœuvre," says one, "in which his lordship's sagacity and charity are equally conspicuous." Unfortunately for the story — which is cited to prove a want of unanimity among the Presbyterians of which we have no intimation elsewhere — it is supported by no authority whatever. "It be fathered rather on public report, than fixed on any particular author in those days avowing the same."[2]

[1] Brook, II. 47.

[2] Fuller, Book IX. p. 178. Col-

It is also stated that Mr. Secretary Walsingham made a generous offer to meet the scruples of the Puritans. "He offered," it is said, "*in the queen's name*, that the three ceremonies at which they seemed most to boggle — kneeling at the communion, wearing the surplice, and making the sign of the cross in baptism — should be expunged from the Book of Common Prayer, if that would content them. They replied, that "they would not leave so much as a hoof behind,"[1] "meaning that they would have the Church liturgy wholly laid aside, and not be obliged to use any office in it."[2] All this wears the appearance of improbability. "It is by no means agreeable to the queen's general conduct";[3] it is unaccountable that such overtures should have been scornfully rejected; and the pedigree of the story is too sorry and suspicious to sustain its legitimacy.[4]

The facts presented in this chapter might have been suppressed, and would have been, had we heeded only the suggestions of Christian charity. We certainly find no gratification in recording them. But as they show clearly the temper of the two principal members of the Ecclesiastical Commission, and thus indicate the temper of the whole Court,

lier, VII. 16, and note. Collier recites this tradition with much zest as a fact; not noticing the important clause which I here quote from Fuller. Collier gives it under date of 1583; Fuller, under date of 1585.

[1] Heylin's Presbyterians, Book VII. Sec. 42.

[2] Collier, VII. 16.

[3] Hallam, 135, note.

[4] Dr. Heylin says, that Dr. Burgess told him that Mr. Knewstubbs told him that Secretary Walsingham told him. (Collier, VII. 16.) This is a sort of testimony certainly unreliable in any case; and much more suspicious when conflicting with probabilities.

scandalous as some of them are, we could not have covered them with a mantle without failing in justice to those who suffered, and who have been branded in history as contumacious.

When the Prelates were moved by a spirit so unlike that of Christ in their government of the Church, when they made such a spirit the great motive power of a tremendous ecclesiastical machinery, not only outraging law and right and humanity, but even decency itself, can we wonder that *men* resented the outrage, and that *Christians* revolted from the discipline?

We do not believe that Parker and Whitgift and Sandys and Aylmer were sinners above all the dwellers in the Church of England; but we do believe that the vicious unition of Church and State, sustained by the self-interest of ecclesiastical magistrates and energized by irresponsible power, would have made a Parker, a Whitgift, a Sandys, or an Aylmer of *almost* any man placed in their position. It is rarely that more than one Grindal is to be found in a generation.

CHAPTER II.

TRAVERS AND HOOKER.

RICHARD HOOKER'S ARRIVAL AT LONDON. — HE IS INVEIGLED TO MARRIAGE. — HIS SAD CONDITION. — WALTER TRAVERS RECOMMENDED TO THE MASTERSHIP OF THE TEMPLE. — ARCHBISHOP WHITGIFT PROTESTS AGAINST IT. — TRAVERS REFUSES EPISCOPAL ORDINATION. — HOOKER APPOINTED TO THE MASTERSHIP. — HE REFUSES TO AWAIT THE SUFFRAGES OF THE TEMPLARS. — THE PULPIT CONTROVERSY OF TRAVERS AND HOOKER. — THEIR DIFFERENT STYLES OF PREACHING. — TRAVERS PUBLICLY ORDERED BY THE ARCHBISHOP TO CEASE PREACHING. — THE ARCHBISHOP'S REASONS. — TRAVERS APPEALS TO THE PRIVY COUNCIL. — HIS ARGUMENT FOR THE VALIDITY OF HIS PRESBYTERIAN ORDINATION. — HIS FRIENDS IN THE COUNCIL BAFFLED. — THE OBJECTION TO HIS ORDINATION A PRETENCE. — HOOKER WEARIES OF HIS UNPOPULARITY AND RESIGNS THE MASTERSHIP.

1581–1586.

WHEN Elisha the prophet was in Israel, he often passed through the city of Shunem. Perceiving this, a certain Shunammite and his wife prepared and furnished an apartment under their own roof, for his sole use and behoof, because he was "an holy man of God."[1] Queen Elizabeth had made a like provision for those of her clergy whom she might appoint, from time to time, to preach at St. Paul's Cross. The house thus provided — and which had its resident host and hostess — was appropriately called "The Shunammite's House." In addition to his stipend for his public service, each preacher was entitled to full hospitalities here "for two days before, and one after, his sermon."

[1] 2 Kings iv. 8 – 10.

Some time in the year 1581, a clergyman from the University of Oxford appeared before the door on horseback. Though but about twenty-seven years of age, he dismounted with every sign of extreme infirmity. A journey of two days or more upon the back of a rough-going horse, and the latter part of the way through a drizzling rain, had been so hard an experience for a man of quiet and sedentary life, that it cost him both effort and pain to leave his saddle and creep into his house of refuge. He stood before honest John Churchman and his wife — the host and hostess — so stiff and sore, so cold and wet and weary and weather-beaten, as to excite their compassion and their apprehensions. He was a man of "a sweet serene quietness of nature"; yet it so far gave way that he spoke with "passion against a friend that dissuaded him from footing it to London, and for finding him no easier a horse." He was utterly disheartened, too, assuring Churchman and his wife that the two days allotted to him for repose, and all other means whatever, could not enable him to perform his task at Paul's Cross on the next Sunday. But Mistress Churchman bade him be of good cheer, and trust himself to her skill in leech-craft. The poor man, "possest with faintness and fear," submitted meekly; and by means of a warm bed, warm drinks, good posset, and careful nursing, he was enabled to perform the office of the Sunday. He was very grateful, and expressed himself so, with all the simplicity of a child. Guileless himself, he suspected no guile in others. Transparent himself, he trusted to every one's outward show. His life having been passed in the cloister,

and in the Christian's closet, he was necessarily ignorant of the ways and wiles of the world. His hostess, on the contrary, had been trained in the shrewd school of trade, — her husband having been a draper of good note in Watling Street, — and she had become skilled in the art of disposing of wares and in reading the characters of her customers. She had read that of her new guest at a glance, and now betook herself to her old vocation of traffic. After modestly acknowledging his expressions of gratitude, she said, "It grieveth me sore, Master Hooker, that a preacher who so commandeth the respect of our good Bishop of London,[1] — for I did observe his lordship's eager hearing of your sermon, — should be in peril of having his light go out at noonday, and all for lack of the remedy that God provideth."

"Prithee! Mistress Churchman, whereto tendeth your speech? His lordship's humor, perchance, was but a misliking of my doctrine that God hath two wills touching men's salvation. But of my light going out at noon, pray, Mrs. Churchman, explain."

"You have but a tender constitution, good sir; and it needeth cherishing."

"My constitution! Of a verity, I do perceive nothing tender therein."

"Albeit, when you came hither you did."

"A tender constitution! and it needeth care! Mayhap; mayhap, Mistress Churchman. Yet have I never thought so aforetime. Think you so?"

"Troth; that do I. It be plain to me that you have but a frail body; that if you take not care

[1] Hooker's Works, I. 26; II. 483.

for it, your usefulness will soon have an end; that if you do care for it by the means of God's appointment, you will answer more largely and longer your high vocation."

"I' sooth, I be bound to believe thy better judgment; for I *was* much afflicted by my journey."

"Ay, Master Hooker; and it was a *woman's* care which God blessed to your reviving. Of a surety it be best for you, good sir, to have a wife that may prove a nurse to you; such an one as may both prolong your life and make it more comfortable."

Mr. Hooker looked bewildered. The idea was new to him. At length he said, half soliloquizing, "A wife!"

"To be an helpmeet for the infirmities of the body and the burdens of life."

The good man fell into a brown study for a few moments, sighed, and then said, in a submissive tone, "Good Mistress Churchman, thou art right, methinks; but I know not how to do it."

"Trust the providing of a wife to some discreet matron; and if there be none other that you prefer, let me do the office."

"I know no discreeter matron than thyself, good Mistress Churchman; and sith it seemeth I do err in not entering upon the holy state of matrimony, I will intrust this business to thy discretion, an thou wilt essay it."

"Most heartily, Master Hooker."

And so it was agreed,—she to find him a wife, and he "promising upon a fair summons to return to London and accept her choice." Before long he was summoned; returned according to promise, and

found himself knit for life unto Mistress Churchman's daughter Joan, "who brought him neither beauty nor portion"; and was, withal, a domineering woman and shrew. Thus was Mr. Richard Hooker — "the *judicious* Hooker" — taken to be a husband.

Of course he must abandon "the tranquillity of his college, that garden of piety, of pleasure, of peace and a sweet conversation," and enter upon "those corroding cares which pertained to a married priest and a country parsonage." Edwin Sandys and George Cranmer, who had been his loving pupils at Oxford, soon visited him at his new home in Buckinghamshire; and found to their great grief, that at one time the order from Joan was, "Richard! go tend the sheep"; at another time, "Richard! leave your company and rock the cradle." Richard meekly obeyed.

"My dear tutor," said Mr. Cranmer at parting, "I am sorry that your lot is fallen in no better ground as to your parsonage; and more sorry that your wife proves not a more comfortable companion."

"My dear George," replied Mr. Hooker in his quiet way, "if saints have usually a double share in the miseries of this life, I that am none ought not to repine at what my wise Creator hath appointed for me, but labor (as indeed I do daily) to submit mine to his will, and possess my soul in patience and peace."[1]

[1] Izaak Walton's "Life of Hooker," in Hooker's Works, I. pp. 15, 26 - 29. Oxford, 1839.

The Temple in London was one of the Inns of court, or colleges in which students of law resided and received instruction.[1] The gentlemen of the Temple, benchers and pupils, held religious worship by themselves in their own chapel, and were provided with two religious teachers, — the Master and the Lecturer. One of these officiated in the public services of the morning, and the other in those of the afternoon.

In the year 1584, Dr. Richard Alvey, Master of the Temple, sensible that he was about to end his days, joined with the gentlemen of the society in recommending, as his successor, Mr. Walter Travers, who had been associated with him as Lecturer about four years,[2] and with whom he had cordially co-operated in promoting Christian piety among the learned benchers. This recommendation was presented to the Lord Treasurer Burleigh, and by him communicated to the queen, in whom was the disposal of the place. His lordship added his own personal approval, and also urged the Archbishop of Canterbury "to yield his consent unto her Ma-

[1] "Our Inns of Court, or societies of the law, ... are formed by masters, principals, benchers," — senior members of the societies, — "stewards, and other proper officers. The chief of them have chapels for divine service; and all of them public halls for exercises, readings, and arguments, which the students are obliged to perform and attend for a competent number of years, before admitted to speak at the bar, &c. These societies or colleges, nevertheless, are no corporations, nor have any judicial power over their members, but have certain orders among themselves which by consent have the force of laws." "The Temples, which we now call the Inns of Court, was the place where they" — the Knights Templar — "dwelt. . . . . The chief minister in the Temple church in London is still called Master of the Temple." (Jacob's Law Dictionary, articles "Inns," "Templars," and "Master of the Temple.")

[2] "Almost six years" previous to 1586. Strype's Whitgift, 252, and Appendix, p. 109.

jesty.[1] Mr. Travers was in high esteem with Lord Burleigh, being his lordship's domestic chaplain, and, for a time, tutor to his son Robert, afterwards Earl of Salisbury.[2] As we have before stated, "in honor and esteem" among the Puritans, he was second to none but Mr. Cartwright.[3] In August, Dr. Alvey died. But the Archbishop, "fearing the infection of the young gentlemen of the Temple by the principles of that sort of men," immediately wrote to her Majesty protesting against the appointment

[1] Strype's Whitgift, 173. Brook, II. 315. Hooker's Works, I. 30.

[2] Fuller, Book IX. p. 214.

[3] *Ante*, Vol. II. 273. Strype's Whitgift, 173. In the month of November or of December of this year, Mr. Travers and Dr. Thomas Sparke — as representatives of the Puritan party — appeared at what is known in history as "the Lambeth Conference." The Archbishop of Canterbury, the Archbishop of York, and Cooper, Bishop of Winchester, appeared as representatives of the Precisian party. The object of the conference — which took place at the instance of some of the Privy Council — was to discuss certain points in the Book of Common Prayer to which the Puritans took exceptions. The members of the Council and other honorable persons were present as auditors.

The principal topics of discussion were: the reading of the apochryphal writings in public worship, by which they were put upon a level with the Holy Scriptures; and private baptism performed by laymen, and even by women, a custom which implied at least that the outward ordinance was both *necessary* and *effectual* to the salvation of children. It is needless, and would be tedious, to recite the details of this discussion. They may be found in Brook, II. 316 – 323. I will only observe that the Archbishop of Canterbury insisted that the apochryphal books were part of the Holy Scriptures, were given by inspiration of God, and were without error; and that the Archbishop of York declared that he disallowed, had forbidden, and would not suffer, private baptism in his diocese. The conference continued two days, — not four hours only, as Strype and Collier say, — when each party carried away the opinions they brought with them. Travers and Sparke were nonconformists to their deaths; and Whitgift never abated his hostility to the Puritans. Yet Mr. Strype says that the effect of the conference was that Sparke and Travers "were persuaded to conform themselves." Strype's Whitgift, 170. Fuller, Book IX. p. 170. Brook, II. 317 – 323. Neal, I. 166, 167. Collier, VII. 34. Marsden, 160, 161.

of Mr. Travers, arguing that he was "a chief author of dissension in the Church, a contemner of the Book of Prayers and other orders by authority established, and either in no degree of the ministry at all, or else ordered beyond the seas not according to the form in this Church of England used." At the same time, he recommended Dr. Bond, one of her Majesty's chaplains, to the Mastership of the Temple.[1] In a letter to Lord Burleigh, his Grace took occasion to say also, that Mr. Travers's "lectures were so barren of matter that the hearers took no commodity thereby."[2] Upon this point, he differed from everybody else. Indeed, it would seem that he never could perceive in a Puritan either grace, capacity, learning, or good behavior. In this letter the Archbishop added, that, unless Mr. Travers could prove that he had been ordained according to the laws of the Church of England, and would subscribe the Three Articles, he could by no means consent to placing him as Master of the Temple, or in any function of the Church.[3]

Many of the Puritans had conscientious scruples about receiving episcopal ordination, although they did not question its validity. From time to time, such persons had gone abroad to receive Presbyterian ordination at Middleburgh, Antwerp, and other places. Mr. Travers was one of these, and had been ordained in due form at Antwerp, in 1578, by a synod of ministers and elders, of which fact he had the proper certificate.[4] Lord Burleigh, find-

[1] Strype's Whitgift, 173 – 175. Hooker's Works, I. 30, 31.
[2] Strype's Whitgift, 174.
[3] Ibid., 175. Hooker's Works, II. 465.
[4] Fuller, Book IX. p. 214. Brook, II. 314.

ing that this fact was an obstacle to Mr. Travers's preferment to the Mastership, and wishing that he might secure it, proposed to him "to be made minister according to the orders of the Church of England."[1] To this Mr. Travers very properly objected. In a letter to his lordship, written in November,[2] he argued: That it was contrary to all ecclesiastical usage, ancient and modern, that one regularly ordained in any Church not heretical or schismatical should not be acknowledged, throughout the universal Church, as sufficiently qualified for any ministerial action: That the *civil* law itself *expressly* provided for such recognition: That the same usage had always obtained to the present day in the Church of England, it being only provided by the Act 13 Elizabeth that those ordained by other than the English form should subscribe to the articles of faith and the sacraments, to qualify them *to enjoy the livings* of the Church: That the setting aside of one regularly ordaining act, by requiring a second, was contrary to the ordinance of God, and would, by implication at least, vitiate all acts — such as marriage, baptism, etc. — which the minister had performed by virtue of his former ministry. "Wherefore," he concluded, "I beseech your lordship to consider whether my subscribing to the Articles of Religion which only concern the true faith and the doctrine of the sacraments doth not, by *virtue of the Statute*, as fully enable me for dealing in the ministry as if I had first been made minister by the form established in this Church."[3] There seems to

[1] Strype's Whitgift, 175.
[2] Ibid.
[3] Ibid., Appendix, Book III. No. XII.

have been no further discussion of this subject at this time, for her Majesty set aside both candidates, — Dr. Bond and Mr. Travers.

In the mean time Edwin Sandys had made interest for his old tutor, with his father, the Archbishop of York, pleading that the remediless affliction which he bore under his wife might be at least mitigated by his preferment to a better living. Consequently, "at the Temple reading next after the death of Dr. Alvey, his Grace, being there at dinner with the judges, the reader, and the benchers of that society," took occasion to commend Mr. Hooker for the Mastership. The result of this was, that Mr. Hooker "was placed as Master of the Temple and appointed to be preacher to the honorable society, while Mr. Travers continued to be lecturer there."[1] Mr. Hooker received his "patent on the seventeenth day of March, 1584–5, being then in the thirty-fourth year of his age."[2]

It was a fundamental rule of the Presbyterian Puritans, that no man, however well qualified by his education, should *offer himself* to the ministry, but should await a call thereto from some particular church.[3] Upon the principle involved in this rule, Mr. Travers had scrupulously conducted himself. The place of lecturer in the Temple, to which pertained only the duty of preaching,[4] was not presentative, — for it was no benefice, i. e. it had no stipend attached to it by law, — but was occupied by whomsoever the Templars themselves might elect; and

[1] Hooker's Works, I. 29. Strype's Whitgift, 175, 235.

[2] Hooker's Works, I. 29, 30.

[3] *Ante*, Vol. II. 270.

[4] Hooker's Works, II. 464.

the occupant was supported only by the benevolence or voluntary contribution of the society.[1] Thus Mr. Travers could fill this place in consistency with his own views about popular election, and also without subscribing as was by law required of those who might be presented to benefices, or, as was required by the Archbishop, without law. With the same consistency, when "the Temple had desired that he might have succeeded in Mr. Alvey's place, ... yet neither by speech nor by letter did he make suit to any for the obtaining of it.[2] Otherwise he would have conducted himself in flagrant opposition to his well-known doctrine, "that laboring and suing for places and charges in the Church was not lawful."[3] For his exclusion from the place when solicited for him by the gentlemen of the society and by the Lord Treasurer, he bore no ill-will toward Mr. Hooker; nor could he, "for he did in no sort esteem Mr. Hooker to have prevented or undermined him."[4] He was even glad, as many could testify, that Mr. Hooker was placed there, for they were old friends and were connected by ties of marriage.[5]

Under the preaching of Dr. Alvey and Mr. Travers — "whose principles did somewhat correspond"[6] — the society of the Templars had become largely in sympathy with Puritanical sentiments. Thus, although the gift of the Mastership did not depend

[1] Hooker's Works, II. 463, 464.

[2] Walton wantonly says that Mr. Travers "used his most zealous endeavors to be Master of the Temple." (Hooker's Works, I. 50.)

[3] Hooker's Works, II. 465; Travers to the Privy Council.

[4] Ibid.

[5] Ibid., 466. Fuller, Book IX. p. 216.

[6] Walton; Hooker's Works, I. 30.

upon their suffrages, yet the opinion prevailed among them, that at least an outward show of respect to their wills and voices was due from whoever might be appointed by the queen as their spiritual teacher. Hence it was that Lord Burleigh, on the seventeenth day of September, wrote to the Archbishop "that he had let Dr. Bond," then a candidate by nomination of his Grace, "know that if he came not to the place with some *applause of the Company*, he should be weary thereof."[1] And hence also it was that the following incident occurred.

The evening before Mr. Hooker was to preach in the Temple for the first time, Mr. Travers and two gentlemen of the society waited upon him and advised him "to change his purpose of preaching in the Temple the next day, that his coming to the place might be notified to the congregation, and that so their allowance might seal his calling." To which Mr. Hooker replied, that, "as where such order existed he would not break it, so, where it never had been, he might not, of his own head, take upon him to begin it," adding that he received well the intention of the proposal, and hoped that his answer, although contrary, would not be misliked.[2] This gave great umbrage to some, and excited such a prejudice against Mr. Hooker, that neither what he did nor what he preached was favorably received. Besides this, hard sayings about him began to be afloat.[3] These things led to a second conference between the Master and the Lecturer, at the instance of a mutual friend. At this

[1] Strype's Whitgift, 174.
[2] Hooker's Works, II. 478; Hooker to Whitgift.
[3] Ibid.

interview Mr. Travers complained of it as a fault that Mr. Hooker should have entered upon his charge without "the formality of a popular allowance"; and he also took exceptions to his not following his sermon with prayer, to his kneeling in prayer, and to his kneeling when he received the communion.[1] These trivial disagreements between the two divines soon expanded, embraced graver matters, and elicited more serious behaviors.

Although the Puritan clergy exhibited from the pulpit the grand truths of the Gospel eminently and to the conversion of their hearers from the error of their ways, both towards God and towards man, — of which abundant evidence appears in the annals of this reign, — yet, to a great extent, the religious proclivity of the day was to the pulpit discussion of the outward forms of worship and of the sacraments, and to speculative and unprofitable dissertations upon points of theology, so-called. There were, indeed, too many, in those days of ceremonial controversy, who were ministers, not of the spirit, but of the letter; too many who heeded not the inspired declaration that the letter *killeth*, but the spirit giveth life.[2] But the first instance, we think, which occurred under Elizabeth's reign in which Churchmen and Puritans came into collision on any point of *doctrine*, was immediately after Mr. Hooker's accession to the Mastership of the Temple. It would be useless to inquire whether, or how far, the frailties of human nature had anything to do in this case. Notwithstanding the mutual good-will at the

[1] Hooker's Works, II. 478, 479; Hooker to Whitgift.

[2] 2 Cor. iii. 6.

outset between Mr. Hooker and Mr. Travers, and notwithstanding the truly Christian temper of each, there may have been some lurking jealousy between them, of which each was unconscious, and which operated in each insidiously and antagonistically. But we have only to do with facts.

Mr. Hooker, who was an original but somewhat eccentric thinker, broached some doctrines in the Temple — about the Church of Rome being a true Church of Christ, about the salvation of Papists, about universal redemption, and about predestination[1] — which were purely scholastic, but which were in opposition to those which Mr. Travers had received with full faith from the school of Geneva, and which, undoubtedly, he believed to be dangerous to those who heard them. "So that what Mr. Hooker delivered in the forenoon Mr. Travers confuted in the afternoon." "The forenoon sermon spake Canterbury and the afternoon Geneva."[2] The "confuting" sermons of Mr. Travers were "without touch of Mr. Hooker's person";[3] and on either side "there was little of bitterness; but each party brought all the reasons he was able to prove his adversary's opinion erroneous."[4] Thus, without personal acrimony, there was perpetual tilting in the pulpit of the temple. The gentlemen Templars, themselves amateurs in the art of intellectual sparring, were greatly interested in the polemics of their

[1] Strype's Whitgift, 235 – 238. Hooker's Works, II. 466 – 474; Travers to the Council. Strype's Annals, V. 632 – 634.

[2] Hooker's Works, I. 50; II. 466, 468. Strype's Whitgift, 235. Fuller, Book IX. p. 216.

[3] Hooker's Works, II. 466.

[4] Ibid., I. 50.

chapel. Sir Edward Coke, Sir James Altham, and other honorable benchers, as well as the gentlemen who were in their pupilage, were as much engrossed in taking notes of each sermon, as eager and as exact, as they would have been in taking instructions or statements from their clients.

These two divines, each in his own peculiar way, were men rich in talents and in learning. Yet they differed greatly as they stood in the pulpit. Mr. Hooker, with all his originality of mind, was insignificant in person, his voice was feeble and unmusical, and he had no grace of intonation or of action. His manner was perfectly rigid. He was merely a reader of his manuscript. His style of writing was copious, but extremely involved, "driving on a whole flock of clauses before he came to the close of a sentence." Thus he was obscure, tedious, and irksome to his hearers, save the few who were gifted with more than ordinary powers of attention.[1] On the other hand, Mr. Travers was happy in his utterance, in his action, in his method, and in his style; and at the same time his "matter was profitable." With these popular qualifications, added to his "learning and honesty, his winning behavior and blameless life,"[2] he not only "preached with great approbation of the younger gentlemen of that society, and, for the most part, was approved by Mr. Hooker himself *in the midst of their oppositions*,"[3] but "he was well allowed and loved by the generality of that house."[4] Owing to this difference between the

[1] Fuller, Book IX. p. 216. Collier, VII. 150.

[2] Walton, Hooker's Works, I. 50.

[3] Ibid.

[4] Strype's Whitgift, 174; Burleigh to Whitgift.

two, the ebb-tide of the congregation was in the forenoon; the flood-tide in the afternoon.[1] These facts were but a sorry commentary upon the Archbishop's statement to the Lord Treasurer, that "Travers's lectures were so barren of matter that the hearers took no commodity thereby."[2]

Such continued to be the state of things in the Temple church until March, 1585–6, a little more than a year[3] after Mr. Hooker's induction.

It is asserted, and perhaps is true, that Mr. Hooker complained to the Archbishop of this pulpit controversy.[4] If he did so, we can easily conceive that it might have been from the purest motives. But, whether in consequence of such complaint — as seems to be implied — or not, on the twenty-first day of March, 1585–6,[5] as Mr. Travers was ascending the pulpit he was stopped by an officer of the Archbishop, who served him with a letter from the High Commission Court inhibiting him "to preach or execute any act of ministry, in the Temple or elsewhere." Mr. Travers, whose mild and uniform submission to authority was always the admiration of even his adversaries, quietly turned to the congregation, informed them of the

[1] Fuller, Book IX. p. 216.

[2] Strype's Whitgift, 174.

[3] Hooker's Works, II. 479; Hooker to Whitgift.

[4] Collier, VII. 150. Brook, II. 325.

[5] I get at this date thus. Mr. Travers wrote a letter to Lord Burleigh, dated the 27th day of March, 1586, (Strype's Whitgift, 250,) in which he speaks of "his calling" *having been* "taken from him." Such a letter he would have been likely to have written soon after the fact. Strype says that "the very next day after Travers had written this letter *being Sunday*," &c.; i. e. March 28th, 1586. So that the previous Sunday — March 21st, 1585–6 — was doubtless the day when Mr. Travers was suspended.

contents of the missive, and dismissed them with a request that they would quietly retire to their chambers. They did so. But even those who approved of the inhibition itself were much incensed by the gross manner in which it was served.[1]

The Archbishop, by serving this process under circumstances which rendered it peculiarly insulting, — by serving it in just such a way, in just such a place, and at just such a time as a vindictive persecutor would have chosen for revenge, and as a malicious persecutor would have chosen for provoking to some flagrant and public indiscretion, — has left another and very black blot upon his name, which can never be effaced. Yet the case was further aggravated by the fact that this process was served without any reproof of Mr. Travers's proceedings, without any warning to desist, without any examination by the Commissioners, and even without any summons to answer to charges;[2] in utter repugnance to the common courtesies of life, to the usages of the ecclesiastical courts, and to the laws of Christ.

We cheerfully admit that the pulpit controversy between these two divines, courteously conducted as it was, could not have been for the spiritual good of the Templars, and that in some quiet way it should have been stopped. But if Mr. Travers was to be blamed for controverting Mr. Hooker, was not Mr. Hooker equally to be blamed

[1] Fuller, Book IX. p. 217. Hooker's Works, II. 460; Travers to the Council. Brook, II. 325. Strype's Whitgift, 235.

[2] Hooker's Works, II. 460; Travers to the Council.

for controverting Mr. Travers? We can see no difference between the two. Both were equally in fault. Where, then, should censure have fallen? Upon both. But the Archbishop made his election to suit his prelatic preference. So we think.

The reasons upon which his arbitrary act was based, were: 1. "That Mr. Travers was not lawfully called to the function of the ministry, nor allowed to preach, according to the laws of the Church of England; 2. That he had preached without license; 3. That he had inveighed against certain points of doctrine taught by Mr. Hooker, not conferring with him nor complaining of it to them," — the High Court of Commission, — contrary to her Majesty's order in the seventh year of her reign.[1] Mr. Travers petitioned the Privy Council that his disqualification might be revoked; "that by their godly wisdom some good course might be taken for the restoration of him to his ministry and place again."[2] He also complained to their lordships that he should have been punished before he had been heard in his own defence, and that the punishment thus grievously inflicted — in a way forbidden both by common equity and by Holy Writ — should have been the most severe, in his estimation, which could have been devised.[3]

In answer to the second point above stated, he declared that "he *had* allowance to preach from the Bishop of London, as was testified by two several letters of his lordship to the gentlemen of

[1] Hooker's Works, II. 462, 464, 465. Fuller, Book IX. p. 217.

[2] Hooker's Works, II. 475.

[3] Fuller Book IX. p. 217.

the Temple, who, without such letters, would not have permitted him to officiate there."[1]

To the third article he replied, — and Mr. Hooker himself afterwards repeatedly admitted, — "that he *had* conferred with Mr. Hooker often upon his doctrines";[2] but he could not deny the facts that he had controverted Mr. Hooker and had not complained of him to the Commissioners; and in his justification of these facts, legally, he failed.[3] Still there was force in what he said in another part of this Paper, and which had pertinent application to the faults here charged. "I have credibly heard," he wrote, "that some of the ministry have been committed for grievous transgressions of the laws of God and man, being of no ability to do other service in the Church than to read; yet it hath been thought charitable, and standing with Christian moderation and temperance, not to deprive such of ministry and beneficence, but to inflict some more tolerable punishment. Which I write not because such, as I think, were to be favored, but to show how unlike their dealing is with me."[4] How-

[1] Hooker's Works, II. 464, and Brook, II. 326, compared.

[2] Hooker's Works, II. 466, 467, 495, 497.

[3] Ibid., 471, 472.

By "The Advertisements" issued in 1564, it was ordered that "if any licensed preacher .... should fortune to preach .... to the derogation of the .... doctrine received, the hearers should denounce the same to the ordinaries or the next bishop of the same place; but no man openly to contrary or to impugn the same speech .... whereby may grow offence and disquiet of the people. .... And that it" — the complaint — "be presented within one month after the words spoken." (Sparrow's Collection, p. 123.) The Temple, if I mistake not, was "exempt" from ordinary diocesan jurisdiction. If so, the spirit of this "Advertisement" required complaint, in this case, to be made to the queen Commissioners, who had authority over all places, exempt or not exempt.

[4] Hooker's Works, II. 461, 462.

ever much this remark might weigh in the minds of many of the Council, it would weigh lightly indeed in a court one of whose chief judges had but just declared that, "for all the livings he had, he would not deprive a poor man of his living for the fact of adultery."[1]

But the first reason alleged for silencing Mr. Travers is the one which most claims attention. This was the Archbishop's "*great* reason."[2] Yet — we observe in passing — Mr. Hooker in his answer to Mr. Travers made no mention of it. Expressing his surprise that "exception should be again taken to his ministry, since he had before" — when proposed for the Mastership of the Temple — "been called in question for it, and had so answered the matter as he continued in his ministry,"[3] Mr. Travers repeated, in substance, his former argument. This he did not only in his Petition to the Council, but also in a separate Paper of "Reasons"[4] which he presented to Lord Burleigh. This Paper his lordship sent to the Archbishop for examination, who returned it with marginal answers.[5]

"The making of a minister in one kingdom ought not to be repeated in another," wrote Mr. Travers. To which his Grace replied, that "the French churches required it." This, if true, was certainly no answer, unless, indeed, the infallibility of those churches be supposed. We have, however, a contradictory statement from Mr. Travers, and one which is, at least, as worthy of credit, for he sus-

[1] *Ante*, p. 33.
[2] Strype's Whitgift, 251.
[3] Hooker's Works, II. 462.
[4] Strype's Whitgift, Appendix, Book III. No. XXX.
[5] Strype's Whitgift, 251.

tained it by citation of facts, — that "*all* Churches do acknowledge and receive him for a minister of the Word who hath been lawfully called thereunto in any Church of the same profession." "Excepting always such Churches as allow of Presbytery and practise it," was the Archbishop's annotation. By which we are at a loss to understand whether he meant that all Churches except the Presbyterian acknowledged ordination conferred by other Churches than their own, or whether he meant that it was the universal practice of the Church to acknowledge all ordination except that conferred by Presbyterians.

Mr. Travers argued that "the repeating of the calling" — i. e. ordination — "to the ministry made void the former calling, and, consequently, the acts — confirmations, marriages, &c. — done by virtue of it." The Archbishop summarily disposed of this by writing, "This is untrue."

"Many Scots and others," wrote Mr. Travers, "made ministers abroad, have been so acknowledged in the Church of England, and have executed their ministry therein accordingly." The truth of this has already been shown.[1] Besides, — as Mr. Marsden judiciously remarks, — the Act 13 Eliz. Cap. XII., the highest authority which could be cited in the case, "*recognizes* the validity of foreign orders; and indeed conveys to us *historical evidence* that ministers ordained by Presbyterian synods were at that time beneficed in the Church of England."[2] Yet Archbishop Whitgift quickly disposed of this statement of Mr. Travers by writing, "I

[1] *Ante*, Vol. II. 112.

[2] "Early Puritans," p. 227.

know none such." We have before showed that there were some other things which his Grace did not know, and which he, of all men in the kingdom, ought to have known.[1]

Mr. Travers wrote, that "when the same question was moved about Mr. Whittingham, neither the Word of God, nor the law of the land, was found against him";[2] and that "he, notwithstanding such replies against him, enjoyed still the benefit he had by his ministry, and might have done until this day, if God had spared his life so long."[3] Against this the Archbishop wrote, "This is untrue; for if Mr. Whittingham had lived, he would have been deprived." Perhaps he would have been, under Whitgift's administration. To judge of the right between these two conflicting opinions, we refer to our history of Whittingham's case in the preceding volume.

"The Act 13 Eliz. did not require that any who had received orders should be ordered again, but only that they should subscribe," &c., wrote Mr. Travers. The Archbishop wrote in reply, "The laws of this realm require that such as are *to be* allowed as ministers in this Church of England should be ordered by a bishop." True. But this was a disingenuous and unmanly, if not an unbishoplike evasion; for "the laws" concerned only those who came to receive orders, not having been ordained before. Whereas the point at issue was — whether the Act 13 Eliz. did, or did not, admit ordination by some other than a bishop to

[1] *Ante*, Vol. II. 359, 413.
[2] Ibid., Chap. IV.
[3] Hooker's Works, II. 463.

be sufficient (with subscription) for ministry in the Church of England. We think no one can doubt upon this point. But however this may be, in *that* day, men who were learned in the laws of the land gave it as *their* opinion, that such persons, upon subscription such as the Statute described, "were of like capacity to enjoy any place of ministry within the land, as they which have been ordered according to that which is now by law established."[1] The "attempts which have lately been made to show that this Act cannot possibly refer to Presbyterian ministers," are plainly sophistical and strained.[2] We can find no law of England which precluded from the exercise of the Christian ministry in her Church such as had received Presbyterian ordination; nor any other law but one of Archbishop Whitgift's own making, by which *he* "forbade that any person should exercise any ecclesiastical function unless he had been admitted to holy orders *according to the manner* of the Church of England."[3]

Mr. Travers further stated: "The late Archbishop of Canterbury, being made privy and acquainted with this my calling to the ministry abroad, was contented I should preach in England. The Bishop of London was likewise contented I should preach at the Temple, which I have done now almost six years."

"This is to abuse our patience," was the Archbishop's comment.

[1] Hooker's Works, II. 463.

[2] Marsden, 228. Touching the meaning of this Act, Mr. Maskell gives us a most remarkable and bewildering specimen of hermeneutical ingenuity, p. 61.

[3] *Ante*, Vol. II. 350.

"And the present Archbishop of Canterbury," continued Mr. Travers, "hath taken no exception against me, since his coming to this Province, to forbid me preaching in it, until this time."

"I never allowed of your kind of calling," was his Grace's marginal note, "neither can I allow of it."[1]

Mr. Travers had powerful friends at Court;[2] and at the Council table, all who disliked the arbitrary oppression of the Primate favored his cause; and some of these did so also from personal regard for Mr. Travers himself.[3] But there were two hinderances to the action of the Council for his relief. The Archbishop himself had a voice and an influence there; for he, "with William Lord Cobham and Thomas Lord Buckhurst, had been sworn in only a few weeks before Mr. Travers's suspension,[4] and he had "linked himself with these two new sworn Councillors, to the strengthening of his interest with the queen, when he should have occasion to move anything in behalf of the Church."[5] Because of this, "*it afterwards fared worse* with the ministers" dissenting.[6] Upon this particular occasion,

[1] In giving Mr. Travers's statements, I have quoted — except where I have given other references — the Paper which he sent to Lord Burleigh, and upon which were penned the Archbishop's answers.

[2] Strype's Whitgift, 235.

[3] Fuller, Book IX. p. 218. Brook, II. 328.

Izaak Walton says that, "in her Majesty's Privy Council, Travers, besides his patron, the Earl of Leicester, and also with many assisting friends; but they were not able to prevail," &c. But the Earl of Leicester was at this time absent in the Low Countries. (Strype's Whitgift, 247.)

[4] Feb. 2d, 1585–6; Fuller, Book IX. p. 177. Strype's Whitgift, 247. Murdin, 489; Morgan to the Queen of Scots. Holingshed, IV. 660, 777. Stow, 719.

[5] Strype's Whitgift, 247.

[6] Fuller, Book IX. p. 177.

"he did not forget to remind the lords of what ill consequence it might be to suffer a man so dangerously furnished, both with parts and principles, to harangue the Inns of Court."[1]

But, even upon the supposition that most of the Council were desirous that her Majesty should revoke the Archbishop's doings against Mr. Travers, there was still an impediment to their action. The ecclesiastical censure in this case had not emanated from a diocesan tribunal, but from the most august branch of the High Court of Commission, where presided the two chief dignitaries of the Province of Canterbury. Thus, to have moved for its reversal would have been taking a bold exception to an act of a court specially commissioned and specially trusted by the queen herself, and to an act in which that Primate was conspicuous to whom she had specially confided the administration of all the affairs of the Church. It would have been a flagrant reflection upon her Majesty's discretion.[2] This fact, and Whitgift's presence and influence at the Council board, were sufficient to prevent any action there in favor of Mr. Travers, however much he was befriended. Thus it was, that "Whitgift's finger moved more in Church matters than all the hands of the Privy Councillors besides." And thus it was that "Mr. Travers, notwithstanding the plenty of his potent friends, was overborne by the Archbishop, and could never obtain to be brought to a fair hearing."[3]

[1] Collier, VII. 151. If Collier is correct, he has made a stinging contradiction to Whitgift's statement to Lord Burleigh, that "Mr. Travers's lectures were so barren of matter that the hearers took no commodity thereby."

[2] Compare *ante*, Vol. II. 386, 444.

[3] Fuller, Book IX. p. 218.

Soon after his suspension, he became president of Trinity College, in Dublin, an office which he occupied for several years.[1] He always cherished, as he did even "in the very midst of the paroxysm betwixt Mr. Hooker and himself, a reverend esteem of his adversary";[2] and it is both a duty and a pleasure to record that this sentiment was reciprocated.[3]

For more than two years under the Primacy of Grindal, and for nearly three years under that of Whitgift, Mr. Travers had preached in the Temple without let, hinderance, or objection; each Primate well knowing whence he had derived his clerical orders. Each Primate thus tacitly acknowledged their validity; for even Grindal, with all his catholicity, would never have allowed any one, especially in a situation so conspicuous and influential, to have exercised ecclesiastical functions whom he did not consider to have been regularly and truly ordered. And although Whitgift struck chiefly, in his public official act, at the Presbyterian orders of Mr. Travers, we have yet to find evidence, either in the documents which we have cited or on the pages of his biography, that the Archbishop denied the veritable ordination of the man he persecuted. This was not the point which he made against him. The point was, — to use his own words, — that Mr. Travers was "*either* in no degree of the ministry at all, *or else ordered* beyond the seas, not according to the form in this Church of England used,"[4] — a fact avowed and patent. If the Primate held that or-

[1] Fuller, Book IX. p. 218.
[2] Ibid., 217, 218.
[3] Hooker's Works, I. 63.
[4] Ibid., 31; Whitgift to the Queen.

dering not according to the form of the English Church was not real ordination, why did he use such peculiar language to her Majesty? If he really believed such ordering to be spurious, why did he not rely solely upon this, without alleging Mr. Travers's want of license? and why did he not declare, bluntly, that Mr. Travers was *not* in any degree of the ministry? which would have been in itself a sufficient reason for silencing him. Above all, if he considered him not in any degree of the ministry, why did he suffer him to continue as the lecturer in the Temple a whole year after he had objected to him for the Mastership? If Mr. Travers was known not to be ordained, this sufferance was not "patience," as the Archbishop called it; it was not "forbearance"; it was a winking at ecclesiastical irregularity; it was ecclesiastical obliquity; it was a sort of obliquity not for a moment to be suspected in so jealous and severe a champion of ecclesiastical Precisianism. The conclusion is therefore forced upon us, that, during nearly six years, by two Primates and by Bishop Aylmer, "Mr. Travers's Presbyterian orders *had been allowed*,"[1] and that even his present Grace of Canterbury considered that by these orders he *had* been placed in *some* "degree of the ministry."

The real grounds of the Archbishop's proceeding in this case seem to have been concealed from the view of the public. To us, they seem to have been both his personal prejudice against Mr. Travers, and a fear of his puritanical influence. In his private letters to Lord Burleigh and to her Majesty when Mr. Travers's coming to the Mastership was in suspense,

[1] Marsden, 226.

this prejudice and this apprehension are betrayed. In these letters he laid far greater stress upon other things than upon the fact that Mr. Travers had not been ordained according to the form of the English Church. He complained, with some emphasis and warmth, that when he himself was Master of Trinity College, he was forced to punish Mr. Travers unto weariness for "his intolerable stomach"; and that "there never was any under his government there in whom he found less submission and humility than in him."[1] To her Majesty he complained — and, considering her sensitiveness about innovation, it was adroitly done — that "the said Travers hath been and is one of the chief and principal authors of dissension in this Church; a contemner of the Book of Prayers, and of other orders by authority established; an earnest seeker of innovation, ... whose placing in that room," — in the Temple, — "especially by your Majesty, would greatly animate the rest of the faction, and do very much harm in sundry respects."[2]

At first, the Archbishop was content with defeating Mr. Travers's introduction to the Mastership, fancying that he was a man of mean parts and lightly esteemed by the Templars.[3] But it would seem that his lordship had discovered his mistake; that he had found that Mr. Travers's preaching was not "so barren," but that it was "for the most part approved by Mr. Hooker himself *in the midst of their oppositions*"; that his popular talents, his "profitable

[1] Strype's Whitgift, 174; Whitgift to Burleigh.

[2] Hooker's Works, I. 31.

[3] Strype's Whitgift, 174; Whitgift to Burleigh.

matter," his "learning and honesty," his "winning behavior and blameless life," had earned him weighty influence with "the generality of that House."[1] Upon the supposition of this discovery only, can we account for the fact that, after Mr. Travers had remained so long unmolested in his Lectureship, it was suddenly resolved, on pretence of an alleged defect long before notorious, that "no favor must be afforded to him on any terms." He had refused, it will be remembered, the condition of a new ordination. Thus only, can we understand how it was suddenly discovered that he was "a dangerous person, a Cartwright junior, and that to suffer such a man to continue Lecturer in the Temple was but, in effect, to retain half the lawyers of England to be of counsel against the ecclesiastical government thereof."[2] It should be kept in mind, that no charge of non-conformity was brought against Mr. Travers, no charge of having depraved the Book of Common Prayer, and none of having impugned the orders or the polity of the Church. Had such charges been brought, — truly or untruly, — his case could easily have been disposed of, and by due process of law. We think, therefore, that it is with no light reason, considering all the circumstances of the case, we find in Mr. Travers's puritanical *opinions*, and in his high esteem with the Templars, the true and only reasons for his deposition from the ministry. That he had not been ordered according to the forms of the English Church, upon which the Archbishop laid the great-

[1] Hooker's Works, I. 50. Strype's Whitgift, 174.

[2] Fuller, Book IX. p. 218.

est stress,[1] was laid hold of merely as a convenient reason, having the air and force of filial deference to the "Mother Church"; a plausible pretence for silencing a man of popular abilities whose opinions were offensive to the Prelacy. But even this position was thought to be assailable and insecure; for could it have been relied upon as impregnable, other reasons would hardly have been put forward for crippling a man whom the most zealous Churchmen — with the exception of Archbishop Whitgift — mention in terms of the highest respect.[2]

Mr. Travers's counsel to Mr. Hooker, that he should not commence preaching in the Temple until "his coming to the place might be notified to the congregation, that so their allowance might seal his calling," and Lord Burleigh's opinion, that "whoever came to the place without some allowance of the Company would soon weary thereof," proved true auguries. Although Mr. Hooker had a great and growing reputation among the "learned and wise of the nation," and although "the chief benchers in the Temple gave him much reverence and encouragement," yet, partly because of his slighting the suffrages of the society, which created great displeasure and prejudice against him,[3] and partly because of his contest with Mr.

[1] Strype's Whitgift, 251.

[2] Izaak Walton, who is most bitter and unjust in his representations of the Puritans of this reign, does so (Hooker's Works, I. 50) in language which I have already quoted. Collier does the same (VII. 150). Fuller (Book IX. p. 219), in closing his account of Mr. Travers, uses strong language: "Perchance the reader will be angry with me for saying so much, and I am almost angry with myself for saying no more, of so worthy a divine."

[3] Hooker's Works, II. 478; Hooker's answer to Travers.

Travers, Mr. Hooker "there met with many neglects and oppositions, insomuch that it turned to his extreme grief." These things suggested to him his famous work on "Ecclesiastical Polity," which gained him the appellation of "the judicious Hooker"; a work which he projected while yet in the Temple. But, "when he found that no fit place to finish what he had there designed," and "became weary of the noise and oppositions of the place," he sought other preferment at the Archbishop's hand, and obtained it. In the summer of 1591 he left the Temple.[1]

In closing this chapter we take occasion to notice some errors which have crept into the different accounts of these events in the Temple.

Mr. Marsden, we think, has erred in supposing that Mr. Travers had been "permitted to advocate in the Temple church" — in its pulpit, is the implication — "an entire change of structure and of polity in the English branch of the Church catholic, and to do this in contradiction of his superior co-minister."[2] Mr. Travers did, in private, take exception to some ceremonials observed by Mr. Hooker; and undoubtedly his private influence and teachings were for the more latitudinarian modes of public worship for which the Presbyterian Puritans contended. But we find no pulpit controversy between the co-ministers, except on points of scholastic divinity. Besides, had Mr. Travers but once advocated in the Temple church such a reconstruction of Church polity, he would have laid himself open so flagrantly to prosecution under the

[1] Hooker's Works, I. 62 – 64. [2] "Early Puritans," 229.

statute, that the Archbishop would hardly have gone all the way round by Antwerp for means to bring him under censure. With this view of Mr. Travers's pulpit deportment, we cannot admit Mr. Marsden's very important *deduction*, that this was "an instance of dignified forbearance to which few churches can afford a parallel."

But we turn attention to this very candid writer for a more important reason, — to illustrate the necessity of extreme caution accurately to notice the times and order of events. He supposes that the occurrences which we have narrated took place in the year 1592, and that Mr. Travers had been suffered in the Temple "during the long interval" between the years 1578 and 1592.[1] Collier has fallen into the same mistake, and from this false premise has drawn an inference even more unfortunate than that of Mr. Marsden. He remarks, that the "Commissioners signed an order for silencing Travers in the Temple and elsewhere, because they found the non-conformists pushing and troublesome, and that the complaint was made against him at a *seasonable juncture*, for now Cartwright, Snape, and some other leading men of the Puritan persuasion were brought before the High Commission."[2] Yet these men were not convented until eight years after Mr. Travers had left the Temple, nor until a year after Mr. Hooker had left it. So that there was no such "seasonable juncture," and this was not the reason why Mr. Travers was silenced. The supposed cause came long after the supposed effect. These mistakes are probably owing to Fuller, —

[1] "Early Puritans," 226. [2] Collier, VII. 150.

upon whom writers sometimes rely too implicitly, — who has unaccountably placed his narrative of this affair under date of the year 1591.

Mr. Strype places the time of these occurrences in the years 1584, 1585, and 1586;[1] and demonstrates the precise time of Mr. Travers's suspension by a letter of his dated the twenty-seventh day of March, 1586, in which he complains of "his calling having been taken away from him."[2]

[1] Strype's Whitgift, 173 – 176, 235. [2] Ibid., 250.

CHAPTER III.

BABINGTON'S CONSPIRACY.

Walsingham's extensive Espionage. — Factions among the Romanists. — Plot of Savage, Hodgeson, and Gifford. — "Father Persons's Green Coat," or "Leicester's Commonwealth." — The Priest Ballard and Maud the Spy. — Henry III., upon Complaint of Elizabeth, commits Thomas Morgan to the Bastile. — The Priest Poley and Morgan in Paris. — Poley in the Family of Sir Philip Sidney. — Walsingham's Inspection of Letters in Cipher. — His subtle Connection with the Agents of the Queen of Scots. — Her foreign Correspondence. — Walsingham's Plan to secure it. — The Conspiracy in Paris. — Anthony Babington. — His romantic Enthusiasm for the Queen of Scots. — He is drawn into the Conspiracy. — He modifies the Plan of Procedure, and secures new Associates. — Queen Mary's Correspondence with Babington. — Plot and Counterplot. — The Conspiracy revealed to Queen Elizabeth. — Ballard arrested. — The Conspirators alarmed, but quieted by Walsingham. — The Conspiracy revealed to the Privy Council. — The Flight of the Conspirators. — The Alarm of the People. — The Hue and Cry. — The Arrests. — The enthusiastic Joy of the People. — It is acknowledged by the Queen. — Gifford's Flight and Fate. — Walsingham charged with Forgery of Letters. — His Course justifiable. — The Trial of the Conspirators. — Chidiock Titchbourne in Prison. — The Executions.

1586.

Among all her statesmen, Queen Elizabeth had no servant more devoted, vigilant, and laborious for her protection than her Secretary Walsingham. Well knowing the varied plans which her enemies had devised against her government and life from the very day of her accession to the throne; aware, too, that they had neither slackened their zeal nor bated aught of their machinations,

and that all their movements were subtle and stealthy, from the outset of his administration he had maintained his disguised agents or spies wherever his sovereign had enemies, — in the Catholic districts at home, about the person of the Queen of Scots, at the various seminaries of Missionary priests, and among the very "confidants of the Pope at Rome."[1] This system of espionage was a matter of necessity; the only means of forestalling and counteracting the many secret plots against the Church and sovereign of England. To maintain it at home and abroad, the Secretary spared not time or labor or money. Nor did he scruple to employ any agent, however mercenary or however unprincipled, whom he could make his tool to subserve to the safety of the state. In this, under the circumstances, he was justifiable. It is also a singular and noticeable fact, that, while all Queen Elizabeth's perils had a Catholic origin, Walsingham's most effective spies were of the Catholic priesthood; so that "he used always to say, that an active but vicious priest was the best spy in the world."[2] Perhaps we can account for this in part. But before proceeding to do so, we remark, parenthetically, that Queen Mary herself seems to have been of the same mind with Walsingham when she wrote, "Take heed of spies and false brethren among you, *especially of some priests* already practised upon by your enemies for your discovery."[3]

[1] Nares, III. 268. *Ante*, Vol. II. 44, note; 202.

[2] Nares, III. 267, 268.

[3] Hargrave's State Trials, 151; Mary's letter of instructions to Babington, July 12th, 1586.

At this particular time, Walsingham probably had peculiar facilities for operating through this class of agents; for divisions and jealousies had sprung up among the Catholics themselves.[1] The Jesuits, by their missionary operations and by their publication of politico-religious tracts, — each of which measures had operated to the prejudice and discomfort of the Catholics in England, — had rendered themselves obnoxious to a large number of the Romish faith. Thus the English refugees particularly "had become split into factions."[2] Many of these, who were scholars in the English College at Rome, had thrown off the tutelage of the Jesuits for that of the Dominicans.[3] These dissensions among the English papists were still further increased by another fact. The Jesuits, despairing of the liberation of the Queen of Scots, despairing also of the conversion of her son to the Romish faith, — of which[4] until of late, they had had "assured hope," — had begun to put forward a pretended title of the King of Spain to the English Crown; to advance which they devoted themselves and exhorted their English pupils.[5] On the other hand, their opponents, still hoping for Mary's liberation and for James's conversion,[6] labored unremittingly in behalf of the captive queen. In their jealousy of the Jesuits, and in their attachment to the Queen of Scots, this party had the sympathy of the new Pope, — Sixtus Quintus,[7] — "who hated

[1] Murdin, 486, 513; Morgan to the Queen of Scots.
[2] Lingard, VIII. 212.
[3] Murdin, 523; Morgan to the Queen of Scots.
[4] Murdin, 419, 542.
[5] Camden, 331. Fuller, Book IX. p. 180.
[6] Murdin, 462, 465, 508, 525, 542.
[7] Ibid., 473, 497, 523.

Philip of Spain and admired the character of Elizabeth, although afterwards he excommunicated her afresh, in order, for form's sake, to appear to sanction Philip's attack upon the dominions of a heretic."[1] Again, some of the English refugees, weary of their expatriation and suffering under poverty, were willing to lend themselves to the service of Queen Elizabeth, — or at least to entertain her offers of pardon and estate;[2] and some of them — priests — had lately entered into secret correspondence with Walsingham himself.[3]

With these preliminary observations, we proceed to trace the details of another conspiracy; for, like all the Catholic movements (which we have noted heretofore) against the government and person of Elizabeth, it has its relations to the character and conduct of the Puritans. This we shall endeavor to illustrate hereafter.

Among the soldiers of fortune who served in the Netherlands under the Prince of Parma, general of the forces of Philip of Spain, was one John Savage, an Englishman. Quitting the camp of the prince, he strolled into France; and about the first of August, 1585, came to the ancient city of Rheims,[4] whither the English Seminary for missionary priests had been transferred from Douay ten years before.[5] As he was reciting his military adventures and boasting of his exploits in conversation with Hodgeson, a priest,[6] it chanced that he was overheard by William Gifford,[7] a doctor of di-

[1] Nares, III. 269.
[2] Murdin, 509.
[3] Ibid., 511.
[4] Hargrave, I. 129, *bis*. Lingard, VIII. 218.
[5] *Ante*, Vol. I. 347.
[6] Camden, 336.
[7] Hargrave, I. 129.

vinity, a priest, and of a good English family,[1] who immediately suggested that the exploits in which the soldier gloried were but trifles compared with one which he might perform, — the murder of that pestilent arch-heretic, the Queen of England; a deed which would wreathe the doer with perpetual glory, and make sure his admission to heaven. The adventurer objecting only to the danger and difficulty of the task, Dr. Gifford, thinking that perhaps he might have scruples about assassinating a prince, urged that in this case such a deed was necessary for the good of the Church, and "would be just and meritorious"; and at the same time advised Savage to take ghostly counsel upon the point.

In the Seminary at Rheims there were those who held that the bull of excommunication uttered by the Pope Pius V. against Queen Elizabeth had been dictated by the Holy Ghost; and "that it was a meritorious act to kill such princes as were excommunicate; yea, that they were martyrs who lost their lives upon that account."[2] These doctrines were now diligently pressed upon Savage by the priest Hodgeson, by Gilbert Gifford, another priest, apparently a near kinsman of Dr. Gifford, and by "others" at Rheims.[3] After three weeks of instruction, the result was, that Savage informed Dr. Gifford — whom he had not met in the mean time, but who probably was privy to his instructions — that "he was willing to do anything for the

[1] Murdin, 512; Morgan to the Queen of Scots. Camden, 336.

[2] Camden, 336. Carte, III. 600.

[3] Hargrave, I. 129. Camden, 336.

good of his country"; and soon after, convinced by their sophistical persuasions, he pledged himself upon oath to murder Queen Elizabeth. Upon which Dr. Gifford entered into large discourse, showing the devotee various methods by which he might fulfil his vow. Soon after, Savage came into England to execute his murderous purpose, which now included the Earl of Leicester,[1] and afterwards, the Lord Burleigh.[2]

About the same time, to lull the apprehensions and vigilance of Elizabeth's ministers, some of Mary's partisans issued a book in which they urged the Papists of England to carry on no hostility against the queen except by tears, reasonings, prayers, watchings, and fastings.[3]

But there were other agencies elsewhere, flowing in another direction toward a common goal, and which were destined soon to form a confluence.

The solemn bond of association devised by the Earl of Leicester had greatly alarmed the friends of the Queen of Scots. A book had lately appeared in which the Earl had been most mercilessly defamed,[4] and to which he believed her to have been privy. Her friends believed the bond to

[1] Hargrave, I. 129, 131.

[2] Wright, II. 314; Burleigh to Leicester. Hargrave, I. 136.

[3] Hargrave, I. 136. Camden, 337. These statements of the transactions at Rheims are taken from Savage's own confession, as recorded in Hargrave's State Trials, I. 129.

[4] The book here referred to was first printed on the Continent, in the year 1584, and was circulated in England by the English Jesuits. Its original title was, "A Dialogue between a Gentleman, a Scholar, and a Lawyer." It contained everything which could be raked together, whether true or false, concerning the private vices and crimes of the Earl of Leicester; "notoriously scandalous and hateful matter against her Majesty's right trusty and right well beloved cousin," said the Council in a letter (June 20th, 1585) to certain justices and other

have been devised by his lordship purely to revenge himself upon her, by procuring her death for her complicity in this libel.[1] They were therefore stirred to make a new effort for her liberation; not by force, which they well knew would be at fearful hazard, but by artifice.[2] For this purpose one Albane Doleman, a priest who had such ghostly influence "in Staffordshire, Derbyshire, and about Tutbury," where Mary was confined, as to give some hope of success, was sent over from France in January, 1584–5, and recommended to Mary's confidence.[3] But the plan, which was for her escape in disguise, was never attempted. It was too evidently impossible, guarded and watched as Queen Mary was. Other plans were then projected.

magistrates. The book itself, though doubtless containing much terrible truth, is so purely malicious and reckless that it cannot be relied upon as historic authority. At its first appearance it was popularly called "Father Persons's Green Coat"; its outside leaves being of that color and Persons being its putative author. It was again printed in the year 1631, with the running-title, "A Letter of State of a Scholar of Cambridge." In the year 1641 it was twice printed, with the title "Leicester's Commonwealth"; by which name it is most generally known. Another edition of it appeared in the year 1706, entitled "The Picture of a Favorite; or Secret Memoirs of Robert Dudley, Earl of Leicester." (Sidney, State Papers, I. 61, 62. Wood's Athenæ Oxon.; Article "Robert Persons." Peck's Desiderata Curiosa, I. Book IV. No. LVI.) Sir Philip Sidney undertook an answer to the book, (see Sidney, State Papers, I. 62 – 68,) but it was little more than a fluent, rhetorical paper, in which railing is rendered back for railing. Not a single charge was plausibly refuted, fairly met, or even denied, except the general defamation of the family of the Dudleys. This Sir Philip denied, by saying, "Thou liest in thy throat." It is a very suspicious fact against Leicester, and in support of the book itself, that the Earl's own kinsman could frame no better reply.

[1] Charles Paget to the Queen of Scots; Murdin, 436, 437. Thomas Morgan to the same; Murdin, 456.

[2] Murdin, 437; Charles Paget to the Queen of Scots.

[3] Murdin, 437, 438, 457.

Soon after Doleman's venture into England, another character appeared upon the stage. In the summer of the same year, the attention of some people was attracted to a stranger, in military dress, who moved from place to place as the guest of certain known Catholics.[1] He went about in a gray cloak glittering with gold lace, velvet hose, a cut satin doublet, and wearing a hat adorned with silver buttons, after the newest fashion. This officer-like gentleman was attended by two servants, — a man and a boy, — by whom he was always addressed as Captain Fortescue.[2] Before long, he became pleasantly acquainted with one Maud, who chanced in his way; a man of insinuating manners, who gained his confidence as a professed friend of the Scottish queen and a zealous Catholic. To this man Fortescue soon revealed himself, avowing that he was a priest from the Seminary at Rheims; that he was sounding the way preparatory for an invasion of England, for the purpose of a revolution which should place Mary on the throne; and that the immediate burden of his mission was to arouse the Papists of England and Scotland.

Maud received this confidence joyfully and gratefully, expressed his devout hope that God had not yet given over the kingdom to heresy, and offered himself as a co-worker in so holy an enterprise. The offer was accepted; and thus John Ballard, the priest, was joined in his seditious enterprise by one of the most crafty dissemblers in

[1] Lingard, VIII. 217.

[2] Turner's "Edward VI., Mary and Elizabeth," p. 632, note 25, London edit., 1829.

the whole corps of Walsingham's detective agents; by a man who clave to him, unsuspected, as a bosom friend, counsellor, and confidant, through the north of England, a part of Scotland, and thence through Flanders to Paris.[1]

One of the apartments of the Bastile — that terrible prison of state whose silent history of woe accumulated fearfully until its destruction in the year 1789 — was occupied at this time by Thomas Morgan, a Welshman. This man had left the University of Oxford without taking his degree, had entered the service of the Queen of Scots, and had become one of her Secretaries. He was most loyally devoted to her, had gained her confidence, and had been sent to Paris as her agent, to receive the income of her dowry there as Queen Dowager of France.[2] When Parry was in the course of examination for his plot to murder Queen Elizabeth, he had implicated Thomas Morgan as one of his abettors;[3] upon which the queen had made a request to Henry III. of France, that he might be sent to England as a prisoner.[4] But Morgan was beloved, trusted, and protected at that Court;[5] and the king, unwilling to surrender to a vindictive sovereign such a man, and one who was a devoted servant of the unfortunate Mary, yet equally unwilling to offend Elizabeth, with the greatest reluctance[6] committed him to the Bastile, providing money for his sustenance, and giving orders to the captain of the prison

[1] Lingard, VIII. 217, 218. Camden, 337. Rapin, II. 124.
[2] Murdin, 439, note.
[3] Hargrave, I. 123.
[4] Murdin, 440.
[5] Strype's Annals, VI. 338.
[6] Murdin, 471.

for his good treatment.[1] But Henry, declaring to him expressly, through a gentleman of his Court, that he would be no officer of Elizabeth,[2] refused to send him to England.[3]

Early in July,[4] about the time when Maud had stricken hands with Ballard, another actor appeared in this complicated drama. This was Robert Poley, apparently another priest, who had been suspected this same year as a mass-monger in England,[5] who arrived in Paris as a special messenger, bearing letters to Morgan from Christopher Blount, a gentleman retainer of the Earl of Leicester, and a Catholic.[6] He refused to deliver his letters to any of Morgan's friends with whom he became acquainted, and insisted that he would yield them to none but to Morgan himself. After a fortnight's delay, he found means to converse with the prisoner through a window of his chamber, and there consented to deposit his papers in the hands of one whom Morgan designated. The letters contained the warmest declarations from Blount of attachment to the captive queen, avowing that "he was bound to serve and honor her, the only saint whom he knew to be living in England"; declaring that "he had labored in her service, and would labor though it cost him his life"; and requesting Morgan, as her confidential servant, to send him instructions how he might promote her better service. The letters, which also contained "ample instructions of the state of England," Morgan immediately imparted

[1] Murdin, 483.
[2] Ibid.
[3] Ibid., 444, 482, 483.
[4] Ibid., 447.
[5] Strype's Whitgift, 218.
[6] Murdin, 448, 449.

to the Bishop of Glasgow, Mary's ambassador at the Court of France, to Mendoza, the Spanish ambassador there, and to Charles Paget, an English refugee devoted to Mary. Afterwards, Morgan managed — apparently by bribery — to effect a secret interview with Poley, who "seemed marvellously pleased therewith," and who made many inquiries about the Welshman's private papers, which had been seized and forwarded to Queen Elizabeth at the time of his arrest. He also expressed a strong desire for "some happy and speedy reformation in England." He was then sent back to Blount "well contented,"[1] without letters, but with a promise of writing soon, and with thirty gold pistoles added to his purse.[2] We next find that, by Morgan's counsel and by Blount's means, this man was attached to the household of Sir Philip Sidney, specially in the service of his wife, who, it should be particularly noticed, was *a daughter of Sir Francis Walsingham.* Morgan sought this situation for him, "that he might be able to pick out many things for the information of Queen Mary."[3] Blount's object is open to conjecture. It is doubtful whether he was acting for the interests of the Scottish queen, or playing against her into the hands of Leicester and Walsingham. Morgan, however, although very jealous of all persons dependent upon the Earl,[4] had yet, from an acquaintance of years, acquired strong confidence in the "faith and honesty" of Blount; had become "sure that he did honor the ground on which Queen Mary might

[1] Murdin, 447, 448; Morgan to the Queen of Scots.
[2] Ibid., 451, 453.
[3] Murdin, 480, 499, 506.
[4] Ibid., 448.

tread, before Leicester and all his generation."[1] Poley held friendly intercourse with the French ambassador at the English Court and with his secretary,[2] as a medium of communication between Mary and her friends in France, and was otherwise engaged in serving her with intelligence.[3] Thus another priest (as we have some reason to suppose him) was insinuating himself into the confidence and secret counsels of the Marian zealots, edging on their operations, and receiving their money, yet moving in the circle of Walsingham's family, in reality *his* agent, and keeping him informed of all their movements.[4] Thus was the wily and watchful Secretary winding his toils around the plotting enemies of his sovereign.

Walsingham had two servants whom he employed in the most delicate and important business of examining letters from suspicious quarters. Such letters, when intercepted, if written in cipher, were committed to the inspection of Thomas Phillips, who had a wonderful skill at deciphering. They were then perfectly resealed by Arthur Gregory, so that no one could detect their violation, and forwarded to their address. Thus, through these men, Walsingham made himself master of many secrets which concerned the weal of the state.

Here let us note upon the threshold two facts as preparatory indices of the complicated and twofold plot we are to investigate. *Doctor* Gifford, — whom we have mentioned as the artful instigator of Sav-

[1] Murdin, 480, 499, 506.
[2] Ibid., 480, 499.
[3] Ibid., 506.
[4] Camden, 339. Lingard VIII. 214.

age to the murder of Queen Elizabeth, — in the month of March preceding their interview,[1] had been recommended to Queen Mary by a special letter from her confidential agent in Paris — Morgan — as her "zealous beadman and servant," who would willingly "adventure his life" for her relief. At that very time he was "one of some priests abroad in banishment who had entered into conference, by writing, with Secretary Walsingham."[2] Another item: within two months after the parley with Savage, *Gilbert* Gifford visited the same confidential friend of Mary in Paris, and obtained letters from him to her assuring her of his "faith and honesty, he being about to go into England." He also received instructions how to convey her letters to her correspondents in France,[3] and within five months from his first acquaintance with Savage was an inmate of the family of Walsingham's most trusted servant in London.[4] "He was of a licentious and scandalous life," though yet so young that he had but a sprouting beard. In his deportment he was unaffected, and he was fluent in several languages of the Continent.[5] Thus he answered well to Walsingham's idea of "the best spy in the world."

The Giffords were a good family in Staffordshire, and of good estate. One of them was now a prisoner in London as a Catholic recusant. Another was living within ten miles of the captive Mary. A third was one of the band of Queen Elizabeth's

[1] Murdin, 440 and 512 compared.
[2] Ibid, 511, 512; Morgan to the Queen of Scots.
[3] Murdin, 454, 455; Morgan to Mary, Oct. 15th, 1585.
[4] Lingard, VIII. 214.
[5] Carte, III. 601. Lingard, VIII. 215, 228. Camden, 344.

gentlemen pensioners, for many Catholic gentlemen had entered the service of Elizabeth's Court and of her courtiers, that they might thus be protected from prosecution on account of recusancy.[1] This family were akin to Francis and Thomas Throgmorton.[2]

It was under the roof of the decipherer Phillips[3] that Gilbert Gifford found a home in December, 1585,[4] when he came to England with commendatory letters to the Queen of Scots, and also charged with the perilous business of facilitating her correspondence, a business which he concluded to prosecute *without* peril. In less than a month after his arrival[5] he revealed himself and his errand to Walsingham at a private interview, offered his services, and promised to lay before him all letters from

[1] Murdin, 448, 449, 480; Morgan to the Queen of Scots.

[2] Ibid., 454. Camden, 337.

[3] Morgan knew this Phillips. But he had deported himself towards the Welshman with so much art — hoping, doubtless, to penetrate his secrets — that the latter was duped to believe him a venal man, and had tried to win him to the Queen of Scots. Phillips met these overtures with smiles and with professions of friendship for Mary. Morgan had such hopes of his political conversion — although Phillips was a Puritan — that he had commended him to Mary as a man not *yet* to be trusted indeed, but as one who might be bought, and who was worth the buying. (Murdin, 455.)

[4] Lingard, VIII. 214.

[5] Lingard says, that Gifford went upon the excursion mentioned below immediately upon Mary's removal from Tutbury to Chartley, which took place on the *twenty-fourth* day of December. Camden adds, that he was sent by Walsingham. Of course he had sold himself to the Secretary in "less than a month after his arrival." Probably he had done so before he was quartered with Phillips, and as soon as he came to London. It is my own opinion that he came for this very purpose; and that he had formed it when he obtained his credentials and his charge from Morgan. It also seems probable, and almost certain, that at this time he communicated to Walsingham the murderous mission of Savage. The facts stated in the text show clearly enough why Queen Mary's residence was changed at this particular time.

abroad which might be sent to him in charge. His revelations and offers were well received by the Secretary, who sent him and Phillips to the neighborhood of Chartley in Staffordshire, whither Queen Mary had just been removed, to put in train such agencies as would induce her to correspond fearlessly with her partisans abroad. Walsingham had reasons for doing this. Maud had discovered that there was some movement for invasion, and the correspondence which Walsingham proposed to detect would doubtless reveal matters of the highest moment. Thus another confidant of Mary's friends, another priest, was pledged to the service of Walsingham.[1]

Phillips and Gifford soon arranged a stealthy mode of conveying letters to Mary and of receiving hers in return; an arrangement effected through the connivance of Sir Amyas Paulet, her keeper, at the request of Walsingham.[2] Gifford now applied to the French ambassador (it was about the 23d or the 24th day of January, 1585–6), and received letters for Mary, one of which was from Morgan, and was the first which had found its way to her from him since December, 1584.[3] She received them with joy on the 26th day of the month, and replied to Morgan's letter on the next day,[4] unsuspicious of the mode of their conveyance, and not

[1] In the correspondence between Queen Mary and Morgan, the name Pietro is of frequent occurrence. (Murdin, 519 – 534, *passim.*) This was doubtless the name by which they designated Gilbert Gifford (Lingard, VIII. 216; Strickland's "Queens of Scotland," VII. 359, New York, 1859); and Mary herself suggested it in a letter to Morgan, dated 20th of May, 1586. (Murdin, 515.)

[2] Camden, 341.

[3] Murdin, 469, 515; the Queen of Scots to Morgan.

[4] Ibid., 469.

detecting the violation of their seals.[1] Thus with a joyous heart she became entangled in proceedings whose cost to her was her life.[2] To conceal his connection with Walsingham, Gifford employed one of his Throckmorton kinsmen as the carrier of the letters to and from the office of the Secretary.[3] Thus the machinery was complete and in operation by which to ferret out the plans and identify the persons of the conspirators.

In the month of April, 1586,[4] another act of this tragic drama was in progress in Paris. The priest Ballard was there,[5] with his precious companion Maud. The priest Gifford was there,[6] with his art-

[1] Lingard, VIII. 216.

[2] Mary's answer to Morgan's letter was dated "January the 17th, conforme to the ancient computation"; Camden says that "the fugitives, to make trial whether Gifford would be faithful in the safe conveying of their letters, sent at first blank papers made up like letters; which when they found by the answers" — answers to *mere blanks?* — "to have been delivered, they grew more confident of him, and sent frequently other letters written in ciphers concerning their business." (p. 131.) I reject this for the following reasons. 1. Because Morgan, her principal correspondent abroad, and the original employer of Gifford, had from the first *implicit* confidence in him. 2. Because Mary, in her answer to Morgan, says, "I thank you heartily for this bringer," — Gifford, — "whom I perceive very willing to acquit himself of his promise made to you." But she makes no mention of things so strange as blank letters. It is utterly improbable that she would have been silent about them, and to *him*, had such come to hand; and if she did receive such and was silent about them, how came it known that they had "been delivered"? 3. This instalment of letters must have been *the first* which Mary received through Gifford's agency. Hume (III. 141) assigns this test of blank letters, not to Mary's friends abroad, — as Camden does, — but to Ballard and Babington in England; and not to the time when Gifford commenced his operations, but to midsummer of 1586, after he *had* conveyed correspondence faithfully six months or more.

[3] Murdin, 519. Lingard, VIII. 216.

[4] Hargrave's State Trials, 130, 133.

[5] Murdin, 517, 527.

[6] Ibid., 520.

less artfulness and his smooth speech, sent there by his new master. Charles Paget and Thomas Morgan were there, — the latter still in his prison. Three earnest partisans of the captive queen, three resolute zealots of the Romish faith, in close and confiding consultation with two who were solely bent upon probing and betraying their projects. Ballard, upon his arrival, had "met with one Grateley." This man had introduced him to Charles Paget, who told him that the Pope was bent upon "reforming the state in England," and that Mendoza, the Spanish ambassador at the Court of France, had given assurance that Spain would aid the project by force of arms.[1] This coincided precisely with Ballard's recent errand, and he disclosed it to Paget, telling him that he had just felt the Catholic pulse in England and in Scotland; that it was strong and true, that foreign aid alone was wanting to insure a formidable insurrection, and that he had been sent to Paris to make this known. Paget distrusted the scheme, but introduced the martial priest to Mendoza. The ambassador received and "heard him very well." Ballard told of noblemen and knights in divers shires of England who "were willing to take arms so as they might be assured of foreign help"; many of whom, upon this condition, had taken oath upon the sacrament to do so. He stated also what forces they could raise, but refused to disclose their names, because "his priesthood was engaged to the contrary." It was further argued, that the present time was auspicious, because the best soldiers of

[1] Hargrave, I. 132.

England were in the Low Countries with the Earl of Leicester.

"Return," said Mendoza, "and procure me satisfaction from some of the wisest and principallest in England, that they will so conjoin, and what forces they will raise, and my king will furnish relief, and that right speedy. But see to it, that the safety of the Queen of Scots be made sure, and that she be rescued from her jailer if possible. Satisfy me reasonably upon these points, and aid shall be given; not direct from Spain, whence she of England looketh it may come, but from the Prince of Parma, whom she does not apprehend, and who can move thither before she is aware."[1]

Ballard, Paget, Gifford, Maud, and probably the prisoner Morgan (for at this time he certainly had much conference with Gifford),[2] now consulted together. Paget urged strenuously that such were the prudence, watchfulness, and vigor of Elizabeth's government, and such the general affection of the people for her person, that there was no hope of effecting a revolution, even by invasion, so long as she was living.[3] The oath of Savage for the murder of Elizabeth, and his presence then in England for that purpose, were next discussed. Finally, it was resolved that Ballard should return to England to satisfy the demands of Mendoza, to inform the Catholics that Philip "had vowed upon his soul to reform England or to lose Spain," to pre-

[1] Murdin, 524, 527. Ibid., 517, 518; Charles Paget to the Queen of Scots. Camden, 337. Hargrave, I. 135. Lingard, VIII. 218.

[2] Murdin, 521.

[3] Camden, 337. Hume, III. 139.

pare the way for insurrection and for effecting a landing of forces, and specially to insure the safety of the Scottish queen in the confusion. All this he pledged himself by oath to do.[1] It was also arranged that Anthony Babington, a young gentleman of Dethick in Derbyshire, should be incited to take in charge Queen Mary's escape from prison; and that Savage should be hurried to his work.[2] Here the congress ended. Ballard received money from Paget;[3] Gifford also, from Morgan, besides "an assurance of a Prebend in St. Quentin's" which was in the gift of the Queen of Scots.[4] Maud and Gifford returned with a rich freight of information to be laid at Walsingham's feet.

Anthony Babington was a young gentleman of good family[5] and ample fortune, of literary accomplishments rare for one of his years, of pleasing countenance, graceful form, and courtly manners.[6] In the year 1585 he had visited Paris, and being a zealous Catholic had naturally fallen into association with the English refugees there who were of the same faith, particularly with Charles Paget and Thomas Morgan. Through them he was also received in a free-and-easy way by the Bishop of Glasgow, Mary's ambassador at court. In this society his susceptible nature had been easily kindled to romantic enthusiasm towards the sad captive of so many years, whose restoration to queenly state was the one great object which filled their minds, controlled their time, and shaped their daily pur-

[1] Holingshed, IV. 923. Hargrave, I. 132. Camden, 337. Lingard, VIII. 218.

[2] Lingard, VIII. 218.

[3] Murdin, 518.

[4] Ibid., 521.

[5] Ibid., 513.

[6] Camden, 337. Hume, III. 139.

suits. While they discoursed perpetually and with glowing lips of her checkered history, her unfailing heroism, her virtues, her accomplishments, and her hard captivity, he listened as any youth of a generous and manly heart would listen to a tale so touching and so told. He caught their inspiration, with chivalrous devotion pledged himself to her service, and returned to England all aglow with the noble purpose of soothing a woman's grief, and of befriending, at any risk, a wronged and crownless queen.[1] By his hand Morgan and Paget sent letters to Queen Mary, dated July 26th and 27th, commending him to her as one who had the means and the will to do her good service, and who had promised all fidelity.[2]

Upon his return, some "intelligence was settled" between him and Mary for a short time; but then, having remained near her "to receive her commandments for a long time, but hearing nothing," he had forborne to write to her, although still "always ready for her service."[3] The suspension of their correspondence wrought his great depression of mind. The charm of romance with which her cause had been invested faded and faded until it was gone, — until the truth of her condition stood before him harsh and hopeless. He "held the hope of his country's weal depending upon her to be desperate," and was upon the eve of quitting the realm forever.[4]

[1] Camden, 337. Hume, III. 139.
[2] Murdin, 453.
[3] Murdin, 513; Morgan to Queen Mary, May 9th, 1586.
[4] Hargrave, I. 149; Babington to the Queen of Scots.

At no time is one so weak against temptation, and so unshielded, as when the gay, dancing visions of youth suddenly melt away, and the stern realities of life stand forth in their stead. If the reaction is to such an extreme that buoyant and inspiring hope gives way to despair, such is the tempter's golden opportunity, and woe to him in such a case to whom the tempter comes! Such was now the critical condition of young Babington. His new views of the cause which he had espoused with the most sanguine expectations, and with entire abandonment of self, were healthy because true. But, in the bitterness of his disappointment, he became sick of the world as he found it, and in a sort of frenzy resolved to seek some solitary place, there to live only to die.[1] At this very crisis the tempter appeared, clad in the raiment of religion, with the smooth speech, the bewildering sophistry, and the profuse promises of a trained and crafty Jesuit. That "silken priest in soldier's habit, commonly called by the borrowed name of Captain Fortescue,"[2] had been in search of him four or five days, and now came with his bland manners and specious words to weave his toils around him.

Ballard had arrived in London on the 22d day of May,[3] and after a brief interview with Chasteauneuf, the French ambassador, who warned him that his coming to his residence would subject him to suspicion,[4] he had immediately applied himself to find the young man who had been nominated

[1] Hargrave, I. 149; Babington to Queen Mary.

[2] Camden, 337.

[3] Hardwicke State Papers, I. 226. Turner, 632, note 25.

[4] Strype's Annals, V. 605.

at Paris as a fit partner in his enterprise. It was the twenty-sixth or twenty-seventh day of the month on which they met, — the villanous, oily priest to corrupt and damn the generous-hearted, inexperienced, susceptible youth. Ballard unfolded in detail the late consultation at Paris, the encouragement given by Mendoza, and the whole plan and fair promises of the projected invasion, sustained by a force of sixty thousand men.[1] Babington at once pronounced the plan absurd, the promise dreamy; declaring, as Paget had done, that while Queen Elizabeth was living, any attempt to overturn her government must be abortive, guarded as that government was by alert and unmatched statesmen, and founded as it was in the affections of the people. This the priest candidly admitted; but added that Elizabeth's days were already numbered, for a bold and practised soldier was at hand, sworn for the sake of God and the Church to take the life of the usurping heretic. The young man's eye was filled with the image of the outcast queen, and his heart beat as high for the religion of his fathers as for her. In this fevered state, after some speech from the Jesuit, treason came to be counted loyalty; murder, the service of God; the staking of his own life, a pious duty; and the loss of it, yet in its freshness, the earnest of a martyr's crown. Assured that Savage was fully committed to the murder, and that the Prince of Parma would at the same time produce a powerful force, his prudential objections vanished. He yielded to his seducer. Once more he flung himself upon the stream of a terrible fate. He

[1] Holingshed, IV. 914.

objected only that the death of Elizabeth, upon which the whole venture hinged, must be made sure; that it could not be so if intrusted to a single arm. He therefore insisted that five others should be joined with Savage in his desperate service.[1]

On the thirty-first day of May[2] Savage received letters from Doctor Gifford, Gilbert Gifford, and Morgan, assuring him that affairs were propitious for the fulfilment of his vow.[3] Soon after this he was introduced by Ballard to Babington, whom he had never met, and when made acquainted with his plan for associates, stoutly protested against it, because of his oath, which bound himself to kill the queen. With much difficulty he was persuaded to yield.[4] Babington then proceeded with his preparations. Those to whom the murder of the queen was appointed were Savage; Barnewell, of a noble family in Ireland; John Channock, a gentleman of Lancashire; Edward Abington, whose father had been under-treasurer of the queen's household, — all of whom entered readily into the plan, — Charles Tilney, of an ancient family and one of the Queen's gentlemen-pensioners; and Chidiock Titchbourne, an intimate friend of Babington, and of a family whose honor had been sustained without a blot from before the reign of William the Conqueror. These two young men shrunk from the crime proposed, and refused. But, by much talk about excommunicated princes, and about the interests of the Catholic re-

[1] Holingshed, IV. 923, 924. Camden, 338. Lingard, VIII. 219. Hume III. 140. Hargrave, I. 132. Rapin, II. 124.

[2] Hargrave, I. 129.

[3] Strype's Annals, V. 606.

[4] Hargrave, I. 129, 132.

ligion, they were persuaded to give "*a kind* of consent."[1] These arrangements made, Ballard proceeded to the northern counties to prepare the Catholics for the crisis which was at hand.[2]

Babington, who from this time seems to have been the director of affairs, now employed himself in arranging for the rescue of Mary's person at the very moment when Savage and his band should strike down Elizabeth. For this purpose he engaged Edward Windsore, brother to the Lord Windsore; Thomas Salisbury, "of a knightly family"; Robert Gage; John Travers; Edward Jones, whose father had been keeper of the wardrobe to Queen Mary; and Henry Dunn, Clerk in the office of first-fruits and tenths.[3] There were four others whom he also engaged in the same enterprise; *one of whom was the sanctified spy, Robert Poley.*[4]

Since "the discontinuance begonne" between Queen Mary and Babington, which had been caused by the extreme vigilance of Sir Amyas Paulet her keeper,[5] he had complained of it to Morgan in a tone of wounded pride and jealousy, because one Fulgeam and his brother had at the same time been honored with her service. He still declared, however, the constancy of his devotion. The day after receiving this complaint Morgan had written to Mary (May 9th, 1586), stating the fact; and urging that the intelligence should be renewed, and particularly that she would "write three or four lines with her own hand to the said Babing-

[1] Camden, 339. Hume, III. 140. D'Israeli, 168.
[2] Hargrave, I. 132.
[3] Camden, 339. Hume, III. 140.
[4] Camden, 339. Rapin, II. 124.
[5] Hargrave, I. 149.

ton." This letter was sent in charge to the young gentleman himself, and doubtless occasioned in part the freeness with which Mary afterwards communicated with him.[1] Soon after he received it, a note from her, written in a cipher which he well knew, and dated June 28th, was delivered to him by an unknown boy. After acknowledging his "effectual affection," and saying that her silence had been "against her will," she inquired for packets from abroad.[2] This renewal of their suspended correspondence was like oil to the fire. In the overflow of joy for her few but precious words, having perfect confidence in "the way which she had opened for him,"[3] and blinded by his gladness to all prudential considerations, he rashly poured out the burden of his soul by a frank and full disclosure of all that was in progress in her behalf. In this way, and we think naturally, we account for the remarkable explicitness of a letter so dangerous; not emulating the hardihood or moral responsibility of those who charge it as a cold-blooded forgery upon Walsingham, as a Paper devised for the sole purpose of "seducing" an imprisoned princess "to furnish evidence which might be afterwards used against herself."[4] It may be added also, that the proverb, "Whom the gods would destroy they first dement," is no less applicable in Babington's case than in the cases of thousands and tens of thousands who have verified it. "Caution and disguise" are indeed, as Lingard says,

[1] Murdin, 513.
[2] Hargrave, I. 149. Holingshed, IV. 924. Camden, 338.
[3] Murdin, 533.
[4] Lingard, VIII. 220. Strickland, VII. 366.

natural to conspirators"; yet how often, remiss in both, have they given the only clew, by their own folly, to their own machinations, and thus wrought their own ruin.

In his letter, Babington informed Mary, "that sufficient strength for the assuring of the invasion was appointed to arrive, with a strong party at every place to join with them and warrant their landing, her deliverance, and the despatch of the usurping competitor; that himself, with ten gentleman of quality and one hundred followers, would undertake the deliverance of her person; that for the despatch of the usurper, — from obedience to whom, by excommunication of her, they were made free, — there were six noble gentlemen, all his private friends, who would undertake the tragical execution; that all the chief actors had solemnly taken vow to perform all these things or lose their lives in the attempt; and that, upon her assurance, they would receive the blessed sacrament thereupon, to prevail or fortunately to die."[1]

We pass over Mary's answer to this letter, and the manner in which she met it when afterwards upon trial; because neither her complicity in the conspiracy, nor her innocence of such complicity, is relevant to the purpose we have in view, — to show the facts, the character, and the ramifications of the conspiracy itself. We may say, however, that, aside from her answer produced before the Commissioners her judges, there is evidence in one letter to her that she knew of the plan to murder Elizabeth; and, in other letters of her

[1] Hargrave, I. 153.

own, and in letters which she received, evidence that she knew, approved of, and by her counsels promoted, the plan of an invasion and insurrection. For the latter who can blame her?[1]

[1] Morgan wrote to her (July 9th, 1586): "There be some good members that attend opportunity to do the Queen of England a piece of service which, I trust, will quiet many things, if it shall please God to lay his assistance to the cause, for which I pray daily." (Murdin, 530.) This, I think, contains enough of "caution and disguise" — though not equal to the letter of the Cardinal of Como (*ante*, Vol. II. 527, 528, and note) — to meet Dr. Lingard's expectations in such a case. Yet how could Mary fail to understand that a "tragical execution" was the "piece of service" indicated?

On the 29th day of May, Charles Paget wrote to her from Paris, that Ballard had put things in train in England for an insurrection, provided "foreign help might be assured"; and that Mendoza had given encouragement to provide it, and had even advertised the king of Spain that it had been solicited. (Murdin, 517, 518.) Mary received this letter, and, on the 27th day of July, answered it, saying: "Upon the return of Ballard, the principal Catholics who had despatched him over seas have imparted unto me their intentions conform to that which you wrote me thereof. . . . . I have made them a very ample despatch containing point by point my advice for all things requisite, as well for this side as for without the realm. . . . . If ever the Pope and the King of Spain have had intention to provide for this State, the occasion is now offered very advantageously, finding therein universally the Catholics so disposed and forwards, as there is more ado to keep them back, than in putting them to the contrary. . . . . I have written to the said Catholics, that before they have sufficient promise and assurance of the prince and the King of Spain for accomplishing of that which is required of them, nothing should be stirred on this side. . . . . I like well the succors should come from the Lowlands, as you write; but I hardly believe that the Prince of Parma," &c., &c. (Murdin, 531, 532.)

The *description* which the Queen of Scots here gives of a letter of her own to "the principal Catholics," corresponds remarkably with a letter purporting to have been written by her on the twelfth day of July, to Babington, her medium of communication with the Catholics in *England*. In this letter he is directed "to assure her principal friends" thus and thus. So remarkably does this *description* answer to this very letter, — produced against her at her trial, but challenged by historians as not authentic, — that we can hardly doubt that she here refers to it; or, in other words, has identified it *as her own*.

On the twenty-fifth day of July,[1] being then in London,[2] Babington received Queen Mary's answer to his letter. In the answer she directed that, so soon as her friends had perfected their arrangements throughout the realm for the invasion, they should "impart the same with all diligence to Bernardine de Mendoza, Ambassador Lieger for the King of Spain in France."[3] She had previously given the same direction to "the principal of the Catholics" with whom she was in correspondence; adding that "Ballard, or some other the most faithful and secret they could find," should be sent as the messenger to Mendoza, and that her friends in England should not move further in their enterprise "until sufficient promise and assurance of the Pope and King of Spain," should have been received.[4] Babington now proceeded to obey these instructions; and obtained for Ballard a license to travel under a false name. He resolved also to go himself, and therefore applied to Poley — who, it will be remembered, was domiciled in Walsingham's family — to procure through the minister "a license from the queen for himself to travel into France; promising to do her extraordinary good service in pumping out and discovering the secret designs of the fugitives in behalf of the Queen of Scots." Walsingham thanked him for his offer, and readily promised him the license; and also great rewards in case of success.[5] Yet he dallied with the young man, deferring his license from day to day.

[1] Hargrave, I. 131.
[2] Strickland, VII. 376. Lingard, VIII. 224.
[3] Hargrave, I. 150.
[4] Murdin, 531; the Queen of Scots to Charles Paget.
[5] Camden, 340.

The catastrophe was at hand. Gilbert Gifford, upon his return from Paris in June, had resumed his station near Chartley, communicating with Mary through her secretaries, receiving her letters and her confidence,[1] being at the same time the chief discoverer[2] of things to Walsingham, and maintaining friendly acquaintance with Ballard and with Savage.[3] Maud also was on the ground.[4] Poley was fraternizing with the conspirators, professing to be one of them, and knew their persons and their secrets. Thus plotters and counter-plotters were intermingled; the former unsuspicious, the latter on the alert in Walsingham's service; and the untiring minister himself holding in his own hands every thread of the conspiracy.[5] Thus far he had kept to himself the information which he had been gathering from so many sources. But when he came into possession of the two letters of Mary and Babington, — the best proof which could be obtained of the nature and extent of the conspiracy, — he laid the whole matter before Queen Elizabeth. Her Majesty was greatly disturbed, and ordered the immediate arrest of Ballard, which was effected on the

[1] Murdin, 519, 533. Lingard, VIII. 217.

[2] Camden, 340.

[3] Lingard, VIII. 227.

[4] Ibid., 225.

[5] It is said that a postscript in Mary's cipher was appended by Phillips to one of her letters, by which she was made to ask of Babington the names of those who had been appointed to assassinate Queen Elizabeth. Walsingham himself could have had no motive in prompting such an inquiry; for he had already the information thereby sought. Of this, Phillips, when he framed the note, was doubtless ignorant, and it is as little to be questioned, I conceive, that Walsingham forbade its being affixed to Mary's letter. Phillips certainly wrote such a request; but it was "upon a scrap of paper" (Lingard, VIII. 224, note); but there is no evidence that he ever copied it as is alleged.

fourth day of August, at Babington's house in London, just as he was about to embark for France.[1] Babington was, of course, greatly alarmed. He immediately consulted with Titchbourne and Savage. Titchbourne advised that every man should escape for his life;[2] but Savage said that the only course in this emergency was to proceed at once to the despatch of Queen Elizabeth, premature as the act might be. To this Babington acceded, providing Savage with the means to procure a suitable court apparel, that he and Charnock might get access to the queen's presence and strike the blow.[3] In his fluttered state of mind, he next wrote to Walsingham, who was then with the Court at Windsor,[4] entreating him to forward his travelling license, and that Ballard, "who would be of special service to him in the business he had undertaken," might be set at liberty. Walsingham, to quiet him, replied that Ballard had been arrested by the Queen's pursuivants as a seminary priest; that Babington would do well to "beware of that kind of men," and that to prevent the jealousy of those whom he was about to visit in France he had better remain "in his own house at London,"[5] until the queen's signature for his license could be obtained, so that upon Walsingham's return to the city, they might consult to-

[1] Hargrave, I. 129. Camden, 341. Holingshed, IV. 925.

[2] Camden, 341, 342.

[3] Hargrave, I. 129. Holingshed, IV. 925. Camden, 342.

[4] Holingshed, IV. 904. Stow, 728.

[5] Whose house? Babington's own, or Walsingham's? Lingard and Hume think the latter; which I doubt, because Camden's expression is ambiguous, and because it seems to me that a residence in Walsingham's house would have tended to excite, not to prevent, the jealousy of Mary's friends abroad.

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gether about Babington's proposed operations in France.[1]

The Secretary now revealed the conspiracy to the queen's Council, and wrote to Scudamore, one of his trusty servants, to dog Babington, "under pretence of securing him from pursuivants," who might, perchance, seek to arrest him as the harborer of a seminary priest.[2] This letter Babington chanced to see, and "the next night,"[3] August 7th, adroitly escaped from Scudamore and another of Walsingham's servants, proceeded to Westminster, and announced to his colleagues that their plots were discovered. All the conspirators hastily disguised themselves and fled. As soon as this was known at Windsor[4] proclamation was made throughout the kingdom announcing that a conspiracy had been discovered for the overthrow of the Church and the State by the assassination of Burleigh, Leicester, and Queen Elizabeth, and by the introduction of foreign troops. The proclamation concluded by nominating the conspirators who had secreted themselves, and by commanding all good men and true upon their allegiance to aid in "a very strict inquiry and search universal for their apprehensions."[5]

The crazy scheme of Somerville in 1583, the trial of Carter in January, 1583–4, the trial of Throckmorton for high treason in the succeeding month of May, the peril of the queen's life, indicated by

[1] Camden, 342.

[2] Ibid. Lingard, VIII. 226, note.

[3] A careful reader of Hargrave will perceive that there is not necessarily any discrepancy between the dates there given and those which I have adopted. A letter of Chasteauneuf, the French ambassador, fixes precisely the date of Babington's escape. (Lingard, VIII. 226, note.)

[4] Lingard, VIII. 226.

[5] Holingshed, IV. 898.

the late bond of association, and by the late "Act for the surety of her Majesty's most royal person," the murderous plot of Parry in the last year, the timely discovery and suppression, by the Earl of Sussex, only two months ago, "of a conspiracy of rising and rebellion," in the county of Hampshire, and "also in other shires,"[1] — all these things occurring in rapid succession during the last three years, had kept the minds of the people in a constant state of feverish alarm. When, therefore, this new and murderous conspiracy, not of two or three, but of so large a number, was suddenly announced by the Court, when it became known, too, that the conspirators, nearly all of whom belonged to families of the English gentry, were yet lurking in places unknown, a panic pervading all classes in London — the high seat of loyalty — was but a natural result.

The officers of the Crown were stimulated not only by peremptory orders from above, but by official pride and by their full-hearted sympathy with the multitude. They wrought with the utmost zeal, diligence, and even rigor, by day and by night, that they might ferret out "the caitiffs most execrable who had most shamefully betrayed God in betraying his anointed, even good Queen Elizabeth, the Lord's lieutenant, and vicegerent general." The constables of London, especially, were zealous and untiring in their search, having no regard for neighbor, friend, or estate, but entering "the very bed-chambers of many a wealthy and worshipful person" in the prosecution of their work. The same measures were pursued elsewhere. Villages, the mansions of

[1] Wright, II. 296, 298; Sussex to Burleigh.

the rural gentry, cottages, barns, woods, and secluded dells, were carefully examined. The whole country was scoured. But when day after day had passed, and night after night, in fruitless labor, "the expected issue failing, people's minds grew unquiet and discontented," until the very children, too young to comprehend the gravity of the cause, began to share in the general alarm.[1]

On the 17th of the month the tide suddenly turned. The citizens of London were as much elated with joy as they had been cast down with fear. "Hedge and bush was so beaten, that some of those noisome birds were arrested and surprised," hidden in the barn of one Jerome Bellamy, who had, in charity, fed and concealed them.[2] News was brought that they were about to enter the city on their way to the Tower. "The sound hereof rang brim, and people thronged together to see the unnatural beasts."[3] As the culprits made their appearance, horsed after the manner of Campian and his comrades when on a like journey, the cries of the multitude bespoke their detestation.

The enthusiasm of the people now burst forth. The usual formalities of society were forgotten in the gush of loyal joy; for not only neighbors and friends, but strangers, shook hands and embraced, "as they fell in talk of the present accident." The whole city was wild with gladness. The bells of the churches rang a perpetual peal "as upon the day of her Majesty's coronation." Then followed

[1] Holingshed, IV. 898.
[2] Camden, 343.
[3] Holingshed, IV. 898.

a night brilliant with street fires, to which every house brought its contribution; and even "the meaner sort of people, though wood was then at a sore extent of price," gave of their scanty pence for fuel. It was a night of brightness; a night of street feasting, "on square tables and round"; a night of merry-making "in comely and honest sort"; and more than all, a night of "reconciliation between divers that had been at overthwarts and in secret grudge," — such a night as we have before attempted to describe.[1] In some streets were heard hymns of praise to God; in others, the music of tabor and pipe; in others, loud hurrahs. Thus from steeple and people, the air rang with sounds of exultation, good cheer, good-will, and religious praise, until daylight and weariness put an end to festivity.[2]

To this demonstration the queen saw fit to respond by a special "letter of thanks to the city for the manifold testifications of their love and loyalty."[3] This letter was read on the twenty-second day of the month to "a great assembly of the commoners in the Guild-hall of the city, to their great contentation and delight."[4]

The rest of the conspirators were taken soon after, with the exception of Windsore, who successfully eluded pursuit.[5]

Gifford, from the first, had represented to Mary, that in serving her he was in hourly peril of his life; and in June, under pretence that he could

[1] *Ante*, Vol. I. pp. 161. 162.
[2] Holingshed, IV. 899, 900. Stow, 728. Camden, 343. Strype's Annals, V. 607.
[3] Holingshed, IV. 902, 904.
[4] Stow, 728.
[5] Camden, 343.

no longer avoid detection, had taken leave of her to go, he said, immediately to France; where she believed him to be in conference with Morgan, early in July.[1] Yet he remained in London, engaged in his perfidious operations for her ruin, until the last of July. Knowing then that his treachery must be exposed by the explosion of the conspiracy within a few days, and aware that he should then be exposed to the vengeance of those whose kindred he had betrayed, he obtained means of passing the sea from the secretary of the French ambassador. At the same time he directed Chasteauneuf that Mary's letters should be delivered to whoever should present the counterpart to a certain paper which he left in his hands. The counterpart was in the office of Walsingham. He then fled to Paris. After a residence there of some months, he was thrown into prison "for incontinent and dishonest living." Mary's friends there, convinced of his treachery towards her, contrived to have him kept in close confinement until his death, four years afterwards. He died miserably and full of remorse; confessing, by word of mouth and in writing, most of the particulars of his perfidy which we have stated.[2] Such was the end of "an active but vicious priest, the best spy in the world."

Robert Poley was no less exposed to a violent retribution than Gifford. Walsingham, however, secured him behind the walls of the Tower, until the fury of the avengers of blood was overpast.[3]

[1] Murdin, 470, 519.

[2] Camden, 344. Lingard, VIII. 227, 228, and note.

[3] Lingard, VIII. 228.

It is unnecessary to comment upon the course which Elizabeth's trusty Secretary pursued to unravel completely this complicated and desperate conspiracy. That the interests of the realm were at stake, that it was in the line of common sense to bring the entire plot and all the plotters — not a part of either — within the grasp of the government, and that stealth could be foiled only by stealth, is his sufficient justification. It will be time to canvass the charges that the whole was his cunning device for bringing the Queen of Scots to the block, and that for this he forged letters in her name or caused them to be forged, or to be falsified by interpolations, whenever such charges are sustained by something more respectable than conjecture. Surely for libels so terrible against one high in station, and of honor no otherwise ever impeached, we have a right to challenge the highest species of proof, and, until such is produced, to spurn them.[1] On the other hand, we have a simple fact to state. When Mary's letter of July 12th to Babington was produced upon her trial, she said, "It is an easy matter to counterfeit the ciphers and characters of others. I *fear* also lest this hath been done by Sir Francis Walsingham to bring me to my death."

[1] "The great character which Sir Francis Walsingham bears for probity and honor," says Mr. Hume (III. 148), "should remove from him all suspicion of such base arts as forgery and subornation; arts which even the most corrupt ministers, in the most corrupt times, would scruple to employ." Mr. Hume's very sensible and spirited Note S upon this point is well worth examination. He says — and he gives his reasons for it — that the supposition of forgery by Walsingham, or under his direction, "implies such a monstrous criminal conduct in him, and consequently in Elizabeth (for the matter could be no secret to her) as exceeds all credibility."

The Secretary replied instantly, and with the most solemn emphasis, "I call God to record, that, as a private person, I have done nothing unbeseeming an honest man; nor, as I bear the place of a public person, have I done anything unworthy of my place. I confess that, being very careful for the safety of the queen and realm, I have curiously searched out the practices against the same. If Ballard had offered me his help, I should not have refused it; yea, I would have recompensed the pains he had taken."

"With this answer," replied Mary, "I am satisfied. I pray you, sir, be not angry. I have spoken freely what I have heard reported. I pray you give no more credit to those who slander me, than I do to such as accuse you."[1]

This short colloquy speaks volumes. If Mary was "satisfied" by this answer that the "slander" which she had repeated was unworthy of "credit," what have Mary's posthumous advocates to say? Should not they be satisfied with the same? Why is it not easier, more tenable, and more honorable to say, "Mary had a right to her liberty, a right to secure it at whatever cost to her oppressor"?

In this affair, Walsingham, for a high and noble end, was tracking men who were prowling in the dark. Under darkness, therefore, he was compelled to follow, or suffer them to advance without impediment to a most fearful catastrophe. He had not been too vigilant, too crafty, or too expeditious. The month in which he brought the conspiracy to light and to confusion was the very month fixed

[1] Hargrave, I. 153.

upon "by the Spaniards," as appears in one of Mary's letters now in the British Museum, "to be ready for the invasion of England, ... who were much disconcerted by the discovery of the plot."[1] Indeed, before the eighth day of September their fleet had advanced so far as off the coasts of France,[2] at a time when England was but poorly prepared to repel them.

From the seventeenth or the eighteenth day of August[3] to the twenty-ninth,[4] Lord Burleigh and others of her Majesty's councillors were "daily occupied" in examining the principal conspirators, and in receiving their confessions, made "without any torture or torment."[5]

On the thirteenth and fourteenth days of September, Babington, Titchbourne, Salisbury, Barnewell, Savage, Down, and Ballard, being arraigned at Westminster, all pleaded guilty; Titchbourne, however, declaring that he was guilty only as he knew of the treasons and concealed them. It was an affecting scene, — so many young men of high hearts, of ripe wit, of flourishing estates, of classic and courtly accomplishments, — in hopeless prospect of a most terrible doom. Sir Christopher Hatton could not suppress his emotions. "O Ballard, Ballard!" he exclaimed, "what hast thou done! A company of brave youths, otherwise endued with good gifts, by thy inducement hast thou brought to their utter destruction!"

"Yea, I protest," said Babington, "before I met

[1] Wright, II. 307, note.
[2] Ibid., 311.
[3] Ibid., 306.
[4] Strype's Annals, V. 605.
[5] Holingshed, IV. 909.

with this Ballard, I never meant nor intended to kill the queen; but by his persuasion I was induced to believe that she was excommunicate, and therefore lawful to murder her."

The Jesuit, touched with compunction, replied, "Yea, Mr. Babington, lay all the blame upon me. But I wish the shedding of my blood might be the saving of your life. Howbeit, say what you will, I will say no more."[1]

We have signified that, in fortune, education, and social position, this band of conspirators were far above the ordinary class of capital offenders. They were so in other respects. For their tenderness of heart in the most sacred relations of life, for their considerateness in its more ordinary relations, for their sense of honor, for their scrupulous integrity, for their affectionate fidelity to one another, and for their heroism in a certain sense, they command our admiration; they force us to drop a tear over their untimely ruin and their bloody retribution. They were Catholics, bigoted, deluded, terribly in the wrong; and *because* they were such, while we deprecate their crime, let us glean what we can to their honor. Let us notice those scintillations of unsullied manhood which they gave forth, as they went from prison to judgment, from judgment to its execution. They shall be their own witnesses.

When Abington, Tilney, Jones, Travers, Charnock, Bellamy, and Gage were arraigned on the next day they all pleaded, "Not Guilty."

Bellamy had had no part in the conspiracy. He seems to have been "a very clownish, blunt" rus-

[1] Hargrave, I. 128–134.

tic. To his last moment on the gallows "he spake very little." The charge against him was, that, after being told that Babington, Barnewell, and Dunn had conspired for the queen's death, he had humanely but traitorously fed them as they cowered in the woods, and then had sheltered and comforted them under his humble roof. The poor fellow had a right to be moody; for his widowed mother had been indicted with him for the same offence, though not now at the bar; and his brother had just strangled himself in prison.[1]

Charnock confessed that he had furnished Savage with disguise, and had fled with him to the woods. "For flying away with my friend, I fulfilled the part of a friend."

"To perform thy friendship," said Sir Christopher Hatton, "thou didst break thy allegiance."

"Therein have I offended"; and he accompanied the words with a courtesy of dignified submission of which the Vice-Chamberlain himself might have been proud.

The indictment against Gage was for harboring and serving Ballard, knowing him to be a seminary priest and an inciter to rebellion, and for aiding Babington in his flight. He confessed that he himself fled into the woods upon the discovery of the conspiracy.

[1] Camden, 345.

Mrs. Bellamy was brought to the bar by the name of Elizabeth. "The Lieutenant of the Tower informed the Court, that the woman's name was Katherine, and not Elizabeth; whereupon he was commanded to take her from the bar to some other place." (Hargrave, I. 133.) Dr. Lingard (VIII. 231, note) says, that "she escaped" — prosecution — "because she had been indicted, perhaps *purposely*, by the name of Elizabeth."

"Wherefore didst thou flee into the woods?" asked the Lord Chief Baron Manwood.

"For company," was the Spartan reply.

Jones had informed Salisbury of Babington's arrest, and had provided him with a horse upon which to escape. "I confess," said he, "that I concealed the treason, and hastened Salisbury away."

"Then you deny not," said Roger Manwood, "that you horsed him away."

"I confess it. My case was hard and lamentable; either to betray my dearest friend, whom I loved as my own self, or else to break my allegiance and so undo myself and mine forever. This was my case."

A verdict of guilty was rendered against all. When called upon individually to say why judgment of death should not be given against them, they manifested a spirit rarely found among men in such a situation. Hopelessly resigned to the horrors of their fate, with scarcely a word in their own behalf, their solicitude was for those who would be stricken by their death and by the forfeiture of their estates to the Crown.

"I am contented to abide the punishment due unto my guilt," said Abington, calmly. But his lips quivered when he added, "My good lords — I — have — a sister; one — only one. If it *will* please her Majesty to provide for her in some sort from the revenues of my lands, if I live I will endeavor to be thankful; if I die, for her Majesty will I pray."

"My good lords," said Tilney, "I am able to say nothing in deferring of my judgment. But

this humble suit I *must* make unto your Honors, that you would procure my friends to pay about two or three hundred pounds which I owe in London, for the discharge of my conscience."

Jones had been invited by Salisbury to join in the delivery of the Queen of Scots; but had refused; and at the same time had besought his friend to withdraw from associates who would surely lead him only to destruction. He had advanced him money and sent him into the country, purposely that he might be away from such influences. Yet Salisbury, drawn by a sort of infatuation, could not be easy except in London. This went to Jones's heart, and he had made another effort to shield and redeem his friend. He had discharged his domestic establishment; but upon Salisbury's return, he had sent for his horses, had "called his servants together again, and had begun to keep house more freshly than ever, *only* because he was weary to see Salisbury's straggling, and would keep him about home." Even when the latter had avowed that he was engaged to kill the queen, he had only remonstrated with him that it was a most wicked act to offer violence to his natural prince, and had bade him beware. To no one of his treasonable practices had Jones ever consented; but he could not find heart to betray him. It was therefore a touching appeal which he now made to the Court.

"I beseech your Honors to be a means to her Majesty for mercy. For desiring to be counted a faithful friend, I am now condemned for a false traitor. The love of Thomas Salisbury hath made me hate myself. God knows how far I was from intend-

ing any treason. But if mercy may not be, I beseech your Honors this: I owe some sums of money, not very much, and have more owing me. I beseech that my debts may be paid. I beseech you, moreover, that of my lands some consideration may be had of my posterity."

"I have never committed treason," said Travers, "but for my religion. In it I will die. I owe four pounds, or such a matter. I beseech you it may be paid out of the profits of my lands."

Charnock besought Mr. Vice-Chamberlain to intercede with her Majesty for his pardon.

"I am sorry for thee," replied Hatton, "but thy offence is too high. Hadst thou applied thyself to the best way, thou mightest have done thy country good service."

"I beseech you then that six angels, which such an one hath of mine, may be delivered unto my brother to pay my debts."

"How much is thy debts?"

"The same six angels would discharge it."

"Then I promise thee it shall be paid."

The rest answered little, whereupon they all received judgment of death.[1]

Five days had passed since Chidiock Titchbourne had heard the sentence of death. To him the sun had gone down for the last time, and the last twilight had faded away. The gloom of his solitary cell was softened by a single lamp, beside which lay a rude inkhorn, a pen, and paper. The stern turnkey — seldom moved by miseries to which by long hab-

[1] Hargrave, I. 123 – 140.

itude he had become hardened — had been touched with compassion for one so young, so gentle in his ways, so soon to die. Memory seemed to have got the mastery over the prisoner, — Memory, and Anticipation, her twin. Scenes long since forgotten were rising before him like a new creation; rapidly, rapidly, and with wondrous distinctness. But none so life-like as of the gleeful days of childhood, and the thousand blandishments of a mother's love. Pictures of his boyhood, too, with its school-days and holidays; of opening manhood, with its plans of daring and of ambition. But these were less vivid and less pure than the echoed words from a mother's lips, or the memory of trustful happiness by a mother's side. Still their outline was distinct. Then came up afresh each particular of the temptation, each particular of the imprudence or the weakness, which had wrought his doom. Then, spite of himself, would obtrude the apparatus of to-morrow's butchery; and then, to soften or cancel this terrific vision, he would think of to-morrow's night, when all would be overpast, and when, he hoped, he should find a painless, sinless life, through the blessed passion of his Saviour Christ. Such thronging memories, with their pleasing and their mournful associations, mingling in confusion and in conflict with such visions of a dreadful and of a joyous future, wrought powerfully upon a body already shaken and attenuated by the misgivings, the self-reproaches, and the bitter griefs of the last few weeks. In his anguish he threw himself upon his knees, imploring for the past, forgiveness; for the future, grace; for the present hour, support. Soothed and strength-

ened by his brief appeal to God, he betook himself to his last sad work. It was past midnight when he gave vent to an overcharged heart in an affecting farewell letter to his wife, and in penning a poetical lament over his youthful ruin.[1]

The ink was hardly dry upon his paper, when the last act of the tragedy commenced. In the barbarous preliminary of dragging fast bound upon the hurdle, Ballard, as the "notable arch-traitor," had precedence, by being in advance in the procession of death, and by being on a hurdle by himself. The others were bound two and two; Babington and Savage, Barnewell and Titchbourne, Tilney and Abington. Through "the ways pestered with people so multiplied — of each sex and every age — as they thronged and overran one another for haste," the wretched men were jerked along to St. Giles's Fields, — where they had been wont to meet, — to a scaffold and gallows of unusual height. The executioner was in waiting with halter, hatchet, and knife, with a brisk fire at hand, and with seven pointed stakes attached to the scaffold. The Commissioners who had tried them, peers of the realm, and reverend clergy, were there also.[2] The victims of the law, after their exhausting passage from the Tower, had strength of body and the heart to address the gaping thousands who had come "with earnest eye" to enjoy the "happy sight" of "this great execution."[3]

Ballard offered no extenuation of his guilt, ex-

[1] For these Papers, see D'Israeli's "Curiosities of Literature," 168, 169.

[2] Holingshed, IV. 914 – 916. Camden, 344. Hargrave, I. 140.

[3] Holingshed, IV. 915.

cept that his doings had been from unselfish motives, and for the advancement of true religion. He then betook himself to prayer.

Babington also disavowed that he had been influenced by any selfish end; and averred that he had been persuaded that what he aimed to do was lawful and meritorious. He then turned to the Lords, and to the Commissioners (for his trial), and craved of them that regard might be had to the rightful claim of one whose money he had received for certain lands, the conveyance of which was yet legally incomplete. "I pray you also," he added, "that a certain servant of mine whom I have sent into the east countries, and who by my forfeiture of goods is greatly impoverished, may be compensated. For my wife, she hath good friends to whose consideration I leave her." Then asking her Majesty's forgiveness he also betook himself to prayer.

"I am a Catholic," said Tilney. "I believe in Jesus Christ; and by his passion I hope to be saved." At this point a clergyman began "to school him in points of religion." "I came hither to *die*, doctor, and not to *argue*," was his answer; and, we confess, a grand, but stinging one. He then prayed for himself, for Queen Elizabeth that she might live long, and affectingly exhorted all young gentlemen to take warning by him.

Barnewell said a few words, and ended with prayer. So did Savage and Abington. But nothing passed their lips which requires our record. But, true to our purpose to do justice to the memory of these infatuated men, we transcribe with pleasure the substance of Titchbourne's words.

"Countrymen and my dear friends! You expect I should speak something. I am a bad orator, and my text is worse. It were in vain to enter into the discourse of the whole matter for which I am brought hither, for that it hath been revealed heretofore, and is well known to most of this company. Let me be a warning to all young gentlemen, especially to those who are generous-minded in their friendships. I had a friend, and a dear friend, of whom I made no small account, whose friendship hath brought me to this. He told me the whole matter, I cannot deny, as they had laid it down to be done; but I always thought it to be impious and denied to be a dealer in it. But the regard of my friend caused me to be a man in whom the old proverb was verified, 'I was silent, and so consented.'.....

"My dear countrymen! my sorrows may be your joy, yet mix your smiles with tears, and pity my case. I am descended from an house, from two hundred years before the Conquest, never stained till this my misfortune. I have a wife and one child, — my wife Agnes, my dear wife, and there's my grief! — and six sisters, left on my hand. My good mother, a widow, and four brothers also, and their posterity, yea, our whole house, is infamed forever![1] My poor servants I know, their master being taken, were dispersed, for all whom I do most heartily grieve. I expected some favor, though I deserved nothing less, that the remainder of my years might in some sort have recompensed my former guilt.

[1] Holingshed, IV. 917. The writer was present. Ibid., 915.

Which seeing I have missed, let me now meditate upon the joys I hope to enjoy."[1]

Then, after a few moments in prayer, he said, "I do heartily ask forgiveness of her Majesty, and all the world, and hope steadfastly that now, at this my last extremity, my faith will not fail."

His humility, his mournful tale, and his moan over the fallen fortunes of his house, greatly excited the compassion of the multitude.[2]

When the executioner advanced to do his office first upon Ballard, the others turned their backs and bowed themselves in prayer until each was called to suffer, with the exception of Babington, who stood witnessing stoically the fate of his seducer through all its horrid details. After pretence of hanging, the priest was cut down and slaughtered, according to the prescript pattern of the law, and in full possession of his senses. His bowels extracted and thrown reeking upon the fire, his body quartered, his head impaled, — all this Babington beheld undaunted. He then surrendered himself, crying several times in his extremity while under the knife, "Spare me, Lord Jesus! O Lord Jesus, forgive!" Thus in succession was every one subjected to dissection, *while yet alive!*

The other seven conspirators were executed the next day, but with this great difference, that they were permitted to hang until life was extinct before the rest of their sentence was completed.[3] The reason of this difference was, that "the queen, being

[1] D'Israeli.

[2] Holingshed, IV. 917.

[3] Ibid., 916–919. Camden, 344, 345. Hargrave's State Trials, I. 140–142.

informed of the severity used in the executions of the day before, and *detesting* such cruelty, gave express orders that these should be used more favorably; and accordingly they were permitted to hang till they were quite dead."[1]

Thus was a bloody and terrible vengeance wrought upon that plot for the murder of Elizabeth which was vaguely initiated after the assassination of William Prince of Orange, but which had been impeded two full years.[2]

We accept the opinion, that "the general body of the Catholics" in England "took no part whatever in this conspiracy."[3] How far they *would* have coincided and co-operated with it in the event of an invasion from Spain, is yet open to conjecture; and it should

[1] Hargrave, I. 142. Camden, 345. Notwithstanding these first-class authorities, Dr. Lingard has the front to say (VIII. 230) that "the queen had wished that they" — all these fourteen criminals — "might suffer some kind of death more barbarous and excruciating than the usual punishment of treason; but when it was represented to her that such an alteration would be illegal, she consented that the law should have its course, on condition that the executions were 'protracted to the extremity of pain' in them, and in full sight of the people." He also conceals the fact (of course he does) that the mitigation of the penalty in the case of the last seven was by *her* "express orders." It requires some self-restraint to meet such a representation without some show of indignation. Would that the Catholic historian had given us his authority for his remarkable words! Would that he had given us at least a hint of some kind of death imaginable to Queen Elizabeth, or even to himself, *more* barbarous, *more* revolting, *more* excruciating, "than the usual punishment of treason"! In some instances — one at least — the operation of the knife was protracted "nearly half an hour before the sufferer was rendered entirely insensible of pain." This particular case is given by D'Israeli, page 168, note.

A defamation of the living, however unjust, may under some circumstances command our respect as an act of courage. But who ever honored the ass for kicking the dead lion?

[2] Murdin, 414. *Ante*, Vol. II. 508, 509.

[3] Butler, I. 385.

be borne in mind that co-operation with foreign forces aiming at the deliverance and enthronement of Mary must have comprised action for the death of Elizabeth. We see no reason to doubt the statement of Ballard to Mendoza, that there were "noblemen and knights in divers shires" who had sworn to take arms with invading troops from Spain. Nor is it to be supposed that Babington and his associates would have advanced so far in their schemes had they not *believed* that invasion would have been sustained by a formidable insurrection; for, to the most enthusiastic and rash, it must have been obvious that either movement would have been mad without the conjunction of the other.

This conspiracy should not be estimated by itself. There were certain circumstances which gave it peculiar importance. Such had lately been the dearth of religious instruction by the English Church, on the one hand,—so many zealous preachers silenced, so many ignorant, and, in some instances, graceless substitutes installed, and so many cures left vacant,—and such religious diligence of the Papists, on the other hand, that they "had gained more in these few years than in many years before"; and in proportion to their proselyting success, and to the increase of their religious zeal, had become inclined, "upon any occasion offered by the show of any outward force, to rebel suddenly."[1] We have Sir Francis Knollys's opinion to the same effect, expressed in two Papers, one of which he laid before the Privy Council when in serious deliberation about

[1] Strype's Annals, V. 624, 625; from a Paper entitled "The Dangerous State of the Realm," and indorsed by Lord Burleigh.

the late conspiracy. He maintained that one cause of her Majesty's peril was the absolute authority of the bishops, who condemned, without appeal, preachers who were zealous against the Pope's authority, sound in doctrine, but scrupulous about ceremonies of a papistical complexion, merely because they would not subscribe certain "*unlawful* articles." He further stated, that the fourteen conspirators were all *born* under her Majesty's reign, but that, in consequence of the neglect of the prelates to provide competent preaching for the young, when there were competent men willing *freely* to teach, these youth have fallen into the hands of the diligent Jesuits, who had corrupted their minds and seduced them from their allegiance.[1]

Again, the protection of Elizabeth's person, upon whom the first blow was to have been struck, was usually only nominal,[2] so that she might easily have fallen a prey to a resolute handful of armed men.

Yet again, Philip of Spain, having been pressed with the chivalric argument that to abandon the Queen of Scots without a blow for her rescue would redound to his lasting infamy,[3] and having been persuaded by letters out of England that one half the realm was ready for revolt, and that therefore success to his forces was insured, had already mustered

[1] Strype's Whitgift, 266, *bis;* Appendix, Book III. No. XXXIV. p. 116. To the same purpose is another Paper, drawn by Mr. Beal, Clerk of the Council, "Whether to be delivered in this Parliament, whereof he was a member," says Mr. Strype, "or by direction, and for the use, of the Privy Council, it is uncertain." (Strype's Whitgift, 268; Appendix, No. XXXV. p. 117.) Mr. Strype adds, "This Paper, though written by a Puritan, may deserve to be read."

[2] Camden, 340.

[3] Murdin, 543.

three hundred sail of his navy, and had gathered his veteran soldiers "out of all his holds and forts, both in Spain and Italy."[1]

Finally, some of his ships had actually put to sea to make the attack upon England in concert with her Majesty's assassination, when their plans were disconcerted by the arrest of the conspirators.[2]

With all these things in view, it is evident that the conspiracy of Babington was far more formidable to the queen and to the realm than any other movement of her enemies since the day of her accession. We can therefore say with emphasis, — *fortunately* it was crushed in the very hour of its ripeness.

[1] Wright, II. 302, 303; "The declaration of B. Bland, lately arrived from Spain."

[2] *Ante*, p. 109.

CHAPTER IV.

THE PARLIAMENT OF 1586-7.

COMMISSIONERS APPOINTED FOR THE TRIAL OF THE QUEEN OF SCOTS. — THEIR SENTENCE. — ELIZABETH RECOMMITS THE CASE TO PARLIAMENT. — THE LORD CHANCELLOR'S PETITION IN BEHALF OF THE LORDS, FOR THE EXECUTION OF MARY. — THE SPEAKER'S PETITION IN BEHALF OF THE COMMONS. — ELIZABETH'S REPLY. — HER SPECIAL MESSAGE, THAT THE PARLIAMENT MIGHT DEVISE OTHER MEANS FOR THE SAFETY OF THE REALM. — THEY REPLY, THAT THEY "CAN FIND NO OTHER WAY"; AND ITERATE THEIR PETITION. — HER "ANSWER ANSWERLESS." — PARLIAMENT ADJOURN. — PUBLIC REJOICINGS FOR THE PROCEEDINGS AGAINST MARY. — THE SINCERITY OF ELIZABETH CONSIDERED. — THE HONESTY OF THE PARLIAMENT, PARTICULARLY OF THE PURITAN MEMBERS, CONSIDERED. — HOSTILE PLANS OF SPAIN ARE DISCOVERED. — A SPECIAL EMBASSY FROM FRANCE. — THE AMBASSADOR ORDINARY SCHEMES FOR THE MURDER OF ELIZABETH. — HIS PLOT DISCOVERED. — ALARMING RUMORS. — ELIZABETH'S PERPLEXITY. — SHE ORDERS A WARRANT FOR MARY'S EXECUTION TO BE DRAWN. — IT IS SIGNED AND DESPATCHED WITHOUT THE QUEEN'S KNOWLEDGE. — HER ANGER. — HER BEHAVIOR UPON HEARING OF MARY'S DEATH. — THE PRESBYTERIAN PLATFORM. — PARLIAMENT REASSEMBLE. — A BILL OFFERED IN THE COMMONS FOR A NEW BOOK OF DISCIPLINE AND OF COMMON PRAYER. — THE QUEEN DEMANDS IT. — THE BILL AND BOOK READ, UPON A MOTION OF PETER WENTWORTH. — A SPEECH AGAINST THEM. — WENTWORTH TAKES HIS STAND FOR THE LIBERTIES OF THE HOUSE. — HIS ARTICLES, OR QUESTIONS, THEREUPON. — HE IS SENT TO THE TOWER; AND OTHERS ALSO. — A MOTION, AND A COMMITTEE OF CONFERENCE, FOR THEIR RELEASE. — THE QUEEN PETITIONED "IN BEHALF OF THE NEW MODEL" OF DISCIPLINE. — HER ANSWER. — THE BILL OF THE PURITANS CONSIDERED. — THE ATTEMPT OF MARGUERITE LAMBRUN TO ASSASSINATE QUEEN ELIZABETH.

THE Queen of Scots had been seriously involved in the late conspiracy. Elizabeth's Council had long been of the opinion that while Mary lived — whose name, as we have before said, was the fulcrum on which to rest the plots of the religious and political enemies of the commonwealth — neither the life of their queen nor the tranquillity of the

realm could be assured.[1] This conviction had easily been exalted to certainty by the murderous and revolutionary enterprise which had just been undertaken in Mary's behalf, and with her privity and concurrence.[2] The question was now agitated at the Council-board, What should be done with the royal captive? Some reasoned that, as she was only an accessory to the late plot, and as her failing health indicated but a short life, they should have recourse simply to her more rigorous confinement, rather than to the invidious and ill-omened measure of shedding the blood of an anointed prince. The Earl of Leicester wrote from Holland, advising that she should be despatched by poison. He even sent over a divine to urge upon Walsingham the righteous policy of an operation so safe and silent. The honorable statesman revolted at the proposal, and spurned it. At length it was resolved, for the security of religion and of the realm, that Mary should be put to death; but openly, and after legal conviction under the late "Act for the surety of her Majesty's person and the continuance of the realm in peace." Therefore, and according to the tenor of that act, Queen Elizabeth appointed Commissioners "to examine all and singular matters compassed and imagined tending to the hurt of our royal person, as well by Mary, daughter and heir of James V., King of Scots, and commonly called Queen of Scots and Dowager of France, as

[1] *Ante*, Vol. I. 419, 429, and note.

[2] "It seems continually forgotten, that in regard to the projects in hand for Mary's deliverance, the removal of Elizabeth was to be a preliminary step." (Nares, III. 305, note.)

by any other person or persons with the privity of the same Mary, ... and thereupon to give sentence or judgment as upon good proof matter shall appear."[1] These Commissioners, or Judges, were noblemen, Privy Councillors, and Judges of the Courts,[2] most of whom arrived at Fotheringay Castle in the County of Northampton — whither the Queen of Scots had been removed — on the 11th day of October, and on the next day convened. For two days, Mary refused to recognize such a tribunal; but on the 14th of the month, "she yielded to appear before them to her trial." On the 25th, having adjourned to the Star-chamber in Westminster, the Court "pronounced and delivered their sentence and judgment, ... that Mary had compassed and imagined, within the realm and since the first day of June, divers matters tending to the hurt, death, and destruction of the royal person of our sovereign lady the queen."[3]

[1] Hargrave, I. 146. Camden, 345, 346. Hume III. 143, 144. Lingard, VIII. 232, and note.

[2] Murdin, 576. Holingshed, IV. 941.

[3] The reporter of the trial (Hargrave, I. 155) says that, upon their reassembling at Westminster, "*all* the Commissioners met saving Shrewsbury and Warwick, ... by whom sentence was pronounced against the Queen of Scots, and confirmed with the seals and subscriptions of the Commissioners, and recorded in these words: 'By their *joint* assent and consent, they do pronounce and declare,'" &c. Again, Walsingham, in a letter to Sir Edward Stafford (Oct. 27th), wrote, "Some of the Commissioners" — at Westminster — "stood well affected to Mary; yet, considering the plainness and evidence of the proofs, *every one* of them gave their sentence against her," &c. (Wright, II. 320.) Thus to their unanimity we have testimony from two distinct sources.

Now two of the Commissioners — the Lord Admiral Howard and the Viscount Montague — were Catholics. Montague was present at Fotheringay and at Westminster. Of Howard's presence at either place I find no indication; but this is immaterial if it be true, as Lingard asserts (VIII. 244), that "the several Commissioners subscribed to

To this they added, on the same day, an important declaration: "That the said sentence did derogate nothing from James, King of Scots, in title or honor; but that he was in the same place, degree, and right, as if the same sentence had never been pronounced."[1]

Queen Elizabeth, hoping to avert, or at least to mollify, the odium which must attach to her name, avowed — we are not warranted to say *affected* — great reluctance to proceed to extremities against her kinswoman; and added that, but for her maternal regard for her loving people, she would pardon the royal culprit upon the moment.[2] These sentiments she afterwards expressed publicly, as we shall narrate. Professing, therefore, not to be satisfied with the trial and attainder of Mary by the Commissioners as a sufficient warrant for proceeding to her execution, she resolved — and she had resolved it *before* Mary's trial[3] — to recommit the case, not to a new special Commission, but "to the impartial examination and final judgment of the whole realm." For this purpose, she had in anticipation dissolved the late Parliament on the fourteenth day of September, and assembled a new one on the twenty-ninth day of October, "merely about this business."[4]

the verdict, even those who had not attended at Fotheringay." If two Catholics so eminent, or even one, gave sentence under hand and seal that Mary "was not only accessory and privy to the conspiracy, but also imaginer and compasser of her Majesty's destruction," — such is the language in Hargrave and in Wright, — it is a fact of no small importance.

[1] Hargrave, I. 145, 146, 148, 155. Wright, II. 319, 320; Sir Francis Walsingham to Sir Edward Stafford.

[2] Hume, III. 149.

[3] Wright, II. 314; Burleigh to Leicester.

[4] D'Ewes, 375.

Her Majesty did not open the Parliament in person, but secluded herself at Richmond[1] and appointed three Commissioners "in her name and stead to begin, hold, continue, adjourn, or prorogue the Parliament, as to them should seem fitting and needful."[2] A proceeding so unusual, though not without precedent, adopted too when her life had been but recently so jeoparded, was not without its moral effect. Parliament and people reasoned that her Majesty did not make her usual progress to Westminster, because she considered herself still exposed to assassination.[3] She herself gave a different reason: "I have been glad to absent myself from this Parliament, lest I should increase my sorrow by hearing the case before them spoken of, and not out of fear of any danger, as some think."[4]

At the opening of the Parliament, the Lord Chancellor announced that they were not assembled to make laws or to replenish her Majesty's treasury, but to advise what should be done with the only surviving conspirator in the late attempt upon her Majesty's life.[5]

The whole subject of the late conspiracy and the Scottish queen's complicity therein were "fully dilated upon," and the proofs of each were exhibited in both Houses. After these discourses and manifestations, it was resolved "to present a Petition (which had been agreed upon by both Houses) unto her Highness for the speedy execution of Mary, late

[1] Holingshed, IV. 429.
[2] D'Ewes, 391.
[3] Ibid., 375.
[4] Hargrave, I. 157; the Queen's answer to the Lord Chancellor Bromley. D'Ewes, 375. Camden, 365.
[5] D'Ewes, 377.

Queen of Scots, according to that just sentence which had been pronounced against her."[1] Accordingly, on the twelfth day of November, the Lord Chancellor and twenty of the temporal Lords, together with a large committee of the Commons, and John Puckering, their Speaker, departed to lay the petition before her Majesty at Richmond.

The Lord Chancellor Bromley, in behalf of the Lords, declared "that the Parliament, representing the people of all degrees in the realm, were fully satisfied and convinced, after careful consideration, that all the traitorous complots of her Majesty's enemies had been by and from the Scottish queen and her favorers, and that these would continue so long as the said Scottish queen should be spared the due punishment she had so often and in so many ways deserved." He said, in conclusion, "we do most humbly beseech your most excellent Majesty that direction be given for further proceedings against the said Scottish queen, according to the true meaning of the statute of the twenty-seventh year of your Majesty's most gracious reign, because, upon advised and great consultation, we cannot find that there is any possible means to provide for your Majesty's safety, and the good estate of this most flourishing Commonwealth, but by the just and speedy execution of the said queen."[2]

Mr. Speaker Puckering then made his appeal for royal inclemency.[3] "This Scottish queen," said he,

[1] D'Ewes, 400.

[2] Hargrave, I. 156, 157. Holingshed, IV. 930. D'Ewes, 380–382; where the substance of Bromley's address and of Puckering's is embodied in one Paper.

[3] Holingshed, IV. 931. D'Ewes, 380.

"claimeth to enjoy your crown in possession, is hardened in malice against your royal person, seeketh your life and deposition as one excommunicate of the holy father, and will not spare any means that may take you from us, being the only let that she may not enjoy her desire. Therefore, unless execution of this just sentence be done, your Majesty's person cannot any while be safe.

"Again, she is poisoned with Papistry from her tender youth, and will supplant the Gospel where and whensoever she may. Therefore, unless execution of this just sentence be done, religion cannot long continue among us.

"Again, if she prevail, she will make us slaves. She hath already provided us a foster-father and a nurse, — the Pope and the king of Spain, — into whose hands if we should fall, what can we look for but ruin of goods, lands, lives, honor, all? Therefore, unless execution of this just sentence be done, the most flourishing present state of this realm must shortly receive a woful fall.

"In the fourth place, mercy now in this case towards her will in the end prove cruelty against us all; and therefore in sparing her your Majesty will spoil us and provoke the heavy hand and wrath of God. Let your Majesty also consider, that thousands of your Majesty's subjects who have by solemn vow protested to pursue unto death such as she is by just sentence now found to be, can neither discharge their love nor well save their oaths, if your Majesty shall keep her alive.

"Lastly, let your Majesty well weigh the fearful examples of God's vengeance against Saul for spar-

ing Agag, and against Ahab for saving the life of Benhadad; and, on the other hand, remember how wisely Solomon proceeded to punishment, when he took the life of his brother for the only intention of a marriage that gave suspicion of treason against him.

"Therefore we pray you that you will no longer be careless of your life; no longer suffer religion to be threatened, the realm to stand in danger, nor us to dwell in fear; but as justice hath given sentence, so you will grant execution. As her life threateneth your death, so her death may, by God's favor, prolong your life."[1]

In reply to these petitions and arguments, her Majesty acknowledged herself peculiarly bound to God for two "miracles"; the first, her preservation from so many dangers; the second, the continuance of her subjects' good-will for twenty-eight years. She expressed her great grief for Mary's crime; protested that she bore her no ill-will; "and even yet," she added, "would she repent, and even should no one advocate her cause, I protest unfeignedly I would most willingly pardon her, but for the safety and welfare of my whole people. Nay, if England might by my death attain a more flourishing estate and a better prince, I would most gladly lay down my life, for, for your sakes it is, and for my people's, that I desire to live. . . . . So far was the late act of Parliament from being made to entrap her, that it was rather intended to forewarn and terrify her from attempting anything against it. But seeing it was now in force as a law, I thought

[1] Hargrave, I. 158–160. Holingshed, IV. 931, 932.

good to proceed against her according to the same. . . . . But forasmuch as this matter now in hand is very rare and of greatest consequence, I hope you do not look for any present resolution; for my manner is, in matters of less moment than this, to deliberate long upon that which is once to be resolved. In the mean time, I beseech Almighty God to illuminate my mind. . . . . We will signify our resolution with all conveniency, and whatever the best subjects may expect at the hands of the best princes, that expect from me to be performed to the full."[1]

On the fourteenth day of November, the Speaker made report to the Commons of this her Highness's answer, and on the fifteenth, the Lord Chancellor also made report of the same to the Lords.[2] At the same times it was announced in each House, as a special request which her Majesty had forgotten to make in her answer, that "her Highness, moved with commiseration towards the Scottish queen, in respect of her former dignity and great fortunes, her nearness of kindred, and her sex, could be pleased to forbear the taking of her blood, if by any other means to be devised by the great Council of the realm, the safety of her Majesty's person and of the State might be preserved without danger of ruin."[3]

When the question was put in the House of Lords, on the twenty-second of the month, upon this the queen's message of request, the Lords, "every one being particularly asked his several voice, answered with one accord, that they could find no other way

[1] Hargrave, I. 157, 158. Holingshed, IV. 933 – 935.

[2] D'Ewes, 379, 402.

[3] Ibid. Holingshed, IV. 935.

than was set down in their petition to her Majesty." "The like question was proposed to them of the House of Commons, and they answered all with one consent, no man gainsaying, that they could find none other way"; and it was there further "resolved by the whole House to insist only upon their petition accordingly."[1]

Committees were then deputed to wait upon her Majesty with this answer from each House; which answer, with its reasons, was rendered on the twenty-fourth day of the month at the Court at Richmond, by the Lord Chancellor and by the Speaker of the lower House.[2]

In reply, the queen declared most solemnly, that she had no intent to make a show of clemency; that the Lords who had sat in Commission to adjudicate Mary's case had been expressly left to the free action of their own consciences, to perfect freedom of voice and liberty of opinion, uninfluenced by any fear of displeasing her or of being of an opinion contrary to her safety. She said further: "My prolonging of this time hath been of a willing mind and great desire I had that some other means might be found out, wherein I should have taken more comfort than in any other thing under the sun. . . . . What will my slanderers now say, when it shall be spread that, for safety of her life, a maiden queen could be content to spill the blood even of her kinswoman? I may therefore full well complain that any man

[1] Holingshed, IV. 935, 943; the Queen's proclamation. D'Ewes, 380, 404.

[2] Holingshed, IV. 936–938; by an ear-witness.

should think me given to cruelty, whereof I am so guiltless and innocent as I should slander God if I should say he gave me so vile a mind. Yea, I protest I am so far from it that, for mine own life, I would not touch her; neither hath my care been so much bent how to prolong mine, as how to preserve both, which I am right sorry is made so hard, yea so impossible.

"I am not so void of judgment as not to see mine own peril, nor yet so ignorant as not to know it were in nature a foolish course to cherish a sword to cut mine own throat. . . . . And therefore touching your counsels, I conceive them to be wise, honest, and conscionable. . . . . And now for your petition, I shall pray you for this present to content yourselves with an answer without an answer. Your judgment I condemn not, neither do I mistake your reasons; but pray you to accept my thankfulness, excuse my doubtfulness and take in good part my answer answerless. . . . . If I should say I would not do what you request it might, peradventure, be more than I thought and to say I would do it, might perhaps breed peril of that you labor to preserve."[1]

This answer was reported to the Lords on the 25th;[2] but no record of its report to the Commons appears in the Journal. On the second day of December, the Parliament was adjourned to the fifteenth day of February.[3]

[1] Holingshed, IV. 938 – 940. Hargrave, I. 160. I have followed the report of this answer as given in Holingshed, because it was written by one who was present; as is stated in the Chronicle, p. 936. It is, however, the same, except in forms of expression, as that in Hargrave.

[2] D'Ewes, 380.

[3] Ibid., 382, 407.

An account of the proceedings of the Commissioners and of the Parliament against the Scottish queen was published by proclamation in London and Westminster on the sixth day of December; "with great port and stateliness, to the great and wonderful rejoicing of the people of all sorts, as manifestly appeared by their ringing of bells, making of bonfires, and singing of psalms in every street and lane of the city."[1] Immediately afterwards, the same declaration was heralded throughout the kingdom.[2] The queen, in this her proclamation, declared that she issued it with grief; her reluctance to do so having been overcome by the repeated prayers and weighty arguments of the nobles and commons of the realm in Parliament assembled.[3] "Yet there were *some* that thought this to proceed from the art and guise of women who, though they desire a thing never so much, yet will always seem rather to be constrained and forced to it."[4] This opinion of "some" is not surprising, in a case where so many must have been biased by religious and political partialities. But it prompts us to a word, in passing, upon Elizabeth's behavior in this serious affair.

If she believed Mary to be an incorrigible plotter against her life and crown, for which she had reasons — perhaps stronger than we know, or could appreciate if we did know; if, too, she believed — as she had reason to believe — that her own life

[1] Holingshed, IV. 940.
[2] Camden, 369.
[3] Holingshed, IV. 941 – 943; Queen's proclamation.
[4] Camden, 369. Hargrave's State Trials, I. 161

and realm must be in jeopardy while Mary should live; — might she not, at the same time, have had a strong reluctance as a woman, as a kinswoman, and as a prince, to strike a blow which would, not only vibrate throughout the Christian world, but might entail infamy upon her name for many generations? We think it could not have been otherwise.

Again, with such a reluctance and with such convictions, was it not due to herself to be forearmed against the judgment of the world and of posterity by the strongest justification of the coming catastrophe which she could possibly command?

These things being granted, we ask, — What less could she do, in justice to her convictions and in justice to her name, than to elicit from her Parliament the most emphatic and solemn declaration, that Mary's life was justly forfeit, and that *nothing but* her death could give hope of safety to herself or to the realm, — in other words, the most august ratification conceivable of the judgment of her Commissioners?

This also being granted, we ask once more, — Where are the proofs of that dissimulation, pretence, artifice, in a word, hypocrisy, with which historians brand her professed reluctance to extremities against Mary? We prefer to consider her professions sincere, for their sincerity is consistent with the strong peculiarities of the case. Elizabeth spake and acted wisely, — so we think; having a queenly and justifiable regard to her good name during her own day and for future time. In our own mind, we discharge her memory from all taint of duplicity

and of spiteful or wanton cruelty in this affair, so far as we have proceeded, until her solemn asseverations of reluctance shall have been better met than by the surmises and rhetoric of those who are her juniors by two or three hundred years.

But we are more particularly concerned with the action of Parliament in effecting Mary's fate; for in the Commons House the Puritans numbered largely, if they were not indeed — as we think they were — a majority. In view of this fact only have we constructed our account of Babington's conspiracy, and of its immediate consequences. Did the Puritans, in *this* case, give their voices for Mary's execution merely because they counted her worthy of it as an "idolater"? Or did they so, merely because, being a Catholic, she was the next heir to the throne? They did not act blindly. They did not act in ignorance of testimony. Everything upon which the judgment of the Commissioners had been predicated was elaborated before both Houses of Parliament. We must, therefore, either suppose that the Puritans in Parliament were convinced — we need not stop to ask whether on sufficient or on insufficient evidence — that the Queen of Scots had aided and abetted plots against the life of Elizabeth and the peace of the realm, or we must suppose that not they only, but *all* the House of Lords, acted against their convictions of Mary's innocence, and were influenced only by state policy or religious antipathy, or by both. But the latter supposition is too gross for our faith. If we suppose the Puritans in the Commons to have been savagely willing to consign to an un-

bought death the heir of the throne because she was heretical, what shall we say of those in the House of Lords who consigned to the same death the same heir of the throne whom they accounted orthodox? In the upper House were two sincere Catholics, at least, — the Lord Admiral Howard and the Viscount Montague, — each of whom was of the judicial Commission. If the Journal of the House of Lords be correct, these noblemen, these *Catholics* — they were both present at the opening of the Parliament,[1] and doubtless were at the "asking of voices" on the absorbing question — voted for Mary's guilt and for Mary's death, in harmony with the Protestant Lords and with the Puritan Commons. It should be remembered, too, that Montague was no craven; that he was the first man who openly withstood in Queen Elizabeth's first Parliament her claim to supremacy in the national Church. Such remarkable unanimity — in a case so grave — in all the conflicting religious parties, (we say "unanimity," for there was not a single dissentient,) compels us to the conclusion that the proofs of Mary's guilt and of her desert of death were to the minds of all too strong even for religious partialities to withstand. While, therefore, we believe that the *Catholics* in the Lords acted from convictions which overwhelmed their sympathies for Mary, we hold — and we have a rigid right to hold — that the *Puritans* in the Commons acted from conviction, and not from antipathy; that in neither case did religious prejudices have sway.

True, it has been roundly asserted and lavishly

[1] D'Ewes, 376.

iterated that her Majesty's will in this case was the lever which hoisted the whole Parliament; that they "would never have expressed themselves in this manner if they had not known it to be grateful to the queen"; that "she knew" beforehand "that she should not want the most earnest solicitations to consent to that measure which was so agreeable to her secret (?) inclinations."[1] In other words, in plain words, in blunt and unpolite words, every individual member of the House of Lords, — Protestants and Catholics, — and also every individual member of the House of Commons, were unprincipled, servile sycophants, bowing passively and catering meanly to the supposed ("secret"?) will of the queen in the decision of a case which they knew would shake the nations! If the Puritans were of the same mind with Elizabeth, (which we concede,) so far as they were concerned the allegations which we have quoted were irrelevant. If they were not of the same mind, would there not have been heard in that House some voice contrary to the queen's will? Was not Peter Wentworth there? Were not he and his brother Puritans accustomed to speak their minds irrespective of and in defiance of the queen's will, even when openly expressed? Did they not — we shall show that they *did* — in this very Parliament? But more, the utmost liberty was given, and by special message, and in terms of remarkable latitude,[2] for the free expression of opinion, however contrary to the supposed wish of her Majesty. Yet not a tongue moved in Mary's behalf among the Puritans in the lower House, or

[1] Rapin, II. 130. Hume III. 149. [2] D'Ewes, 402.

among the Catholics in the upper. We therefore believe that every individual member of the Parliament — Churchmen, Puritans, Catholics — acted honestly, uprightly, from a clear and firm conviction, based upon testimony of Mary's guilt, of her judicial forfeiture of life. To historians who give a different verdict, we reasonably put the question, Where are the proofs? We might, perhaps, construct a plausible, even a strong argument, to show that every single man in this Parliament erred in judgment. But it would be arrogating more than we have the face to do, thus to arraign and condemn the concentrated wisdom and the universal conscience of an English Parliament, when the light under which they acted has become attenuated by the lapse of wellnigh three centuries.

Events of important significance and influence were occurring in rapid succession, and concentrating themselves upon the devoted head of the unhappy Mary.

The first that claims our notice is the demonstration of the designs of the king of Spain against England; designs which had before been so strongly indicated "as to justify the utmost vigilance on the part of the English Council." Philip had written to the Pope that his formidable fleet was destined for a hostile visit to England. This letter was confidential. But one of Walsingham's "best spies in the world" obtained a copy of it for twenty thousand crowns from "a mistress of one of the Pope's confidants." This copy was received in England soon after Christmas, during the recess of the Parliament.

The letter stated that the Spanish fleet "was to land in England to destroy Queen Elizabeth and heresy, and to set the Queen of Scots on the throne."[1] This unequivocal information could only render Mary's condition more precarious; it could only incite to that stroke of the royal pen which would seal her fate.

But another discovery was made early in January, 1586–7, which confirmed the judgment of Parliament that Elizabeth's life would be in imminent peril so long as Mary's was spared; a discovery which no doubt hastened the warrant for her execution. To understand the matter, it is necessary to advert to the state of things in France. Mary was a devoted kinswoman of the Guises. They were at odds with Henry III., their king, and would gladly have deposed and imprisoned him had Mary been in a situation to favor and aid their wishes. In such a situation she would be, should the succession of Elizabeth fall to her; for she would then be acknowledged as the mistress of three kingdoms, and could muster forces sufficient to sustain the faction of the Guises. This party, therefore, wished for Elizabeth's death.

On the other hand, Henry, aware of their enmity and jealous of their schemes, wished for Mary's death as important to his own security.[2] True, he sent a special ambassador, — the President de Bellievre, — who arrived in London on the twenty-first day of November,[3] and who was charged to intercede in his master's name for the sparing of Mary's

[1] Nares, III. 268. Dr. Taylor errs (II. 198) in saying that this information was given to Elizabeth by the Pope himself.

[2] Nares, III. 271, 282, 283.

[3] Carte, III. 611.

life. De Bellievre did so in "an elaborate oration"; but at the same time he had secret instructions to urge that she might be speeded to the scaffold, both for the sake of France and of England.[1] While in England he was, of course, intimately associated with L'Aubespine Chasteauneuf, Henry's ordinary ambassador there, *who was in the interest of the Guises.*[2] As the two ambassadors were conversing together on the twenty-sixth day of December, at Chasteauneuf's residence, a young gentleman presented himself who had long been received there on the terms of a familiar acquaintance. This was William, brother of Sir Edward Stafford, the latter being Elizabeth's ambassador at the court of Henry; and their "mother, one of the queen's honorable bedchamber."[3] Soon after the entrance of William Stafford, Chasteauneuf led him into a gallery, and abruptly said, "I pray you tell me one thing: is there nobody that for some crowns will do an exploit?"

[1] Turner's History of the Reigns of Edward VI., Mary, and Elizabeth, (4to, London, 1829,) 643, and note 89. After the death of the Duke of Guise, Henry was openly charged with having caused Mary's execution. (Rapin, II. 132, note 1.)

The following from Camden (379) is in remarkable coincidence with the statement in the text of Bellievre's secret instructions. "One of the *principal persuaders* for putting in execution the sentence of death against Mary was (as the Scots report) Patrick Gray, a Scot, sent purposely by the King of Scots to dissuade the queen from putting his mother to death; who many times buzzed into the queen's ear, 'A dead woman biteth not.'"

Camden also presents one argument from Elizabeth's courtiers which is in point here (p. 381): "The French king most religiously maintaineth amity with England; and him it highly concerneth that by the timely death of the Queen of Scots the hopes of the Guisians should be quashed, who, presuming upon the expected future powor of their kinswoman, do at present insolently insult over their king." Thus was the imprisoned queen a mark for many archers; from England, from Rome, from France, and even from Scotland.

[2] Camden, 377. Turner, 644.

[3] Murdin, 580. Camden, 378.

"What should that be?" inquired Stafford.

Chasteauneuf seemed excited, — probably having some inkling of Bellievre's secret mission, — and answered in plain terms, "To kill the queen."

"Truly, I know of a very resolute fellow to do such a feat; but whether he may be spoke withal or no, I know not, for he is in prison in Newgate by commandment of the Archbishop of Canterbury."

"Tell me his name."

"Moody; one that hath served my brother in France. He is a miscontented man, and will do anything for money."

"Do me a good turn, Mr. Stafford. Devise some means by which I myself, or my Secretary Cordallion, may have access to this man."

"Well, I will see if I can compass it."

"I must haste to Monsieur de Bellievre. Meanwhile, content yourself with my gentleman De Trapps."

So saying, he summoned De Trapps and returned to Bellievre. De Trapps welcomed Stafford, and, after some speeches had when they should meet to be merry together as aforetimes they had been, began to mutter about the Queen of Scots, that he could see no way with her but death, and broke into many hard words against Queen Elizabeth. "I marvel," said he at last, "there will be no mad fellow will take it upon him to kill her. It should be a memorial to him and his posterity. And you, Mr. Stafford, that do live here discontentedly under Leicester's ill-will, and not likely to enjoy any favor, might by such an enterprise get the favor of all princes which are the Queen of Scots' allies; and I dare undertake to get you of the Pope a pension of ten thousand crowns."

"Now, by my faith, De Trapps! some one hath bid you say this to me as a man likely to take such an enterprise. Declare unto me the party, and I will give you an answer."

"In truth, then, it was one Moody."

"Give me a day's respite, and I will either take it in hand myself, or will find out one that shall do it."

Thus they parted. After the intermission of a day, Stafford held private and separate interviews with Chasteauneuf and with De Trapps, the burden of which was to open a way for conference with Moody. This was effected on the second day of January. De Trapps — instead of Cordallion, who was occupied "about the despatch of Bellievre" — obtained admission to Newgate as the agent of Chasteauneuf, and Moody acceded to the plan for Elizabeth's murder, saying that, "were he only out of prison, he would do the ambassador good service, that he was so well known at court that he could go where he pleased, that he knew a place under the queen's bedchamber where he could easily place twenty pounds of gunpowder, make a train, and overthrow everything"; "or, he could despatch her by poison, or by some other Italian device." De Trapps disliked these "fancies," and wished rather that the queen might be quieted by a pistol-shot, as the Prince of Orange had been.

The whole matter was soon after disclosed to the Council by Stafford, who gave his statement of the facts. De Trapps was arrested on his way to France; and his declaration was also taken in "his own handwriting." Moody was also brought to examination, and "discoursed the whole cause

in writing." The disclosures of each corresponded; and were each given separately. Chasteauneuf, by the queen's command, was called before Burleigh, Leicester (who had returned to England in November[1]), Hatton, and Davison, on the twelfth day of January, where to his face Stafford declared the whole history of the transaction, and that it had originated with the ambassador himself; "upon his knees taking witness of Almighty God, and upon pain of his damnation," that his words were true. Chasteauneuf did not deny his privity to the plot, but pleaded his office in justification of his concealment, asserting that, as an ambassador, he was not bound to reveal it to the queen's government, but only to his master. He charged, however, that Stafford was the first man who propounded the matter. He was answered, that "howsoever he would pretend that he ought not to discover such a matter, as an ambassador, — which was not agreed, — yet in a case concerning the safety or loss of a prince's life, as this did, yea, if it were the life of any Christian, he, as a Christian and as Chasteauneuf, was by God's law bound to withstand such a wicked purpose. But he stiffly held a contrary opinion, that neither as ambassador, nor as Chasteauneuf, he ought to discover any such matter." He was then dismissed, with the "grave advice" to beware how he committed treason any more.[2]

[1] Holingshed, IV. 928.

[2] Murdin, 578 – 583. Camden, 377 – 379.

The verity of this plot has been challenged. Mr. Hume merely notices it, in passing, as an "*imputed* attempt." (III. 155.) Rapin says: "Who knows whether it were not a *snare laid* for him," — Chasteauneuf, — "to make him instrumental, contrary to his intention, in hastening the Queen

We have noticed this new plot against Elizabeth's life, and also the confirmation of Philip's hostile purpose, because not only the queen, but all who urged her to Mary's execution, or co-operated to effect it, ought to have the benefit in history of such justifying facts.

When popular apprehension is aroused, it is impossible to prevent false alarms; and it is often impossible to trace such alarms to their sources. The sighing of the wind is sometimes mistaken for the moans of the dying, and the rustling of a bush for the rattle of armor. It is by no means strange that immediately after the Babington conspiracy and that of Chasteauneuf there should

of Scots' execution?" (II. 132.) Carte (III. 613) calls it "an odd kind of a farce"; and notices with approbation the French representation, that "the whole matter was a contrivance of Elizabeth's ministers, who set Stafford on proposing it to the ambassador."

It is enough to know, on the testimony of the Papers in Murdin, that Stafford, Moody, and De Trapps, though examined separately, agreed essentially in their statements; and that Chasteauneuf acknowledged that the plot was known to him. The only point of disagreement was, with whom the plot originated. The solemnity of Stafford's asseverations — including this point — should outweigh, I think, the blank denial of the ambassador. Chasteauneuf's sympathy with the Guisian faction is a circumstance which should come into account. Again, it should not be forgotten, in this connection, that his Secretary Cordallion (unquestionably with his privity and consent) was hand and glove with Ballard, Savage, and Babington, in *their* scheme for the assassination of Elizabeth. (Strype's Annals, V. 605 – 607.)

In short, if we reject the testimony of the Papers in Murdin, — and if we do so, we must suppose such men as Elizabeth's ministers capable of crawling down to the contrivance of a written lie, — we may as well reject all Papers purporting to be copies of original documents, and call history a humbug. We may as well abandon all faith in honorable manhood. If we doubt the separate testimony of the four men implicated, who all concurred in the reality of the plot, what testimony can we credit? Touching Rapin's question, (which might be thrown in the face of any alleged fact,) it is enough to retort, —Who knows anything? who knows whether Rapin ever wrote the words which I have quoted as his?

have been throughout the kingdom an unnatural excitement, and a feverish apprehension touching everything pertaining to the Queen of Scots. It is not surprising, therefore, that alarming and absurd rumors were afloat, originating no one knew where. "The Spanish fleet has arrived! the Scots have broken into England! the Duke of Guise has landed with a strong army! the Queen of Scots has escaped and gathered forces! the city of London is set on fire! Queen Elizabeth is dead!" — such were the appalling reports which now spread like wild-fire through the whole realm.[1] On the third day of February, the Mayor of Exeter received from the constable of Honiton "a precept charging him in her Majesty's name, upon pain of death, to make diligent search and hue and cry for the Queen of Scots who is fled"; yet the precept was without hand or seal of any Councillor or Justice. On the fourth day came another, — that "London was set on fire, and commanding the Mayor and his Council, upon pain of death, to have men, armor, and artillery in readiness and with all speed; to keep standing watch day and night; and to send like precepts four manner of ways from town to town! Let this go to Exeter on horseback! Haste! Haste! Haste!"[2] Such is a single example of the general disturbance.[3]

[1] Camden, 379.

[2] Wright, III. 329 – 332.

[3] Mr. Hume gratuitously attributes this universal and really frightful commotion to Elizabeth's "duplicity and artifice." (III. 155.) Rapin says (II. 122) that "means were found to determine Elizabeth to execute the sentence against Mary, by spreading the report that the Spanish fleet had arrived," &c., &c. Mr. Turner says, more sensibly (p. 645, note 98), "Such rumors, producing such public effects, seem too dangerous for

These rumors, developing the apprehension and impatience of the nation at large, had undoubtedly an influence to hasten the death-warrant of Mary. Nor can we wonder that, under these circumstances, it seemed an inevitable necessity that the warrant should no longer be delayed. Elizabeth was in real and great perplexity. A thousand weighty considerations were thronging painfully upon her mind, and conflicting with each other; many of them urging her to clemency, many to the instant execution of judgment.[1] She secluded herself, "melancholic and mute; and frequently muttering, 'Bear or strike; strike or be stricken!'"[2] When there were such reasons for such a mental conflict, who can believe that this was but pretence — duplicity — artifice?

In this condition of mind, she gave to Davison, one of her secretaries, a written order over her own hand for drawing a warrant under the Great Seal for the execution of Mary;[3] that it might be in readiness in case of sudden invasion or rebellion. Davison communicated this to the Council, who

government to have circulated; because, if they alarmed the magistracy, they would also tend to encourage and excite the Catholic population, and therefore may have sprung from the instigators of this body, to feel their pulse for an insurrection to liberate Mary, or to rouse them to it." This supposition is certainly more in accordance with common sense than the supposition that such rumors should have been purposely initiated by Elizabeth or her ministers. But I still incline to the opinion, that they had no definite origin; that they sprang from vague surmises, growing, as they passed from mouth to mouth, into positive statements, until some constable (as he of Honiton who sent the precept to Exeter) thought it his duty to raise hue and cry.

[1] Camden gives a full and graphic grouping of these, pp. 380, 381.

[2] Camden, 382.

[3] Ibid., 382, 389. "Committed to him a warrant signed with her own hand." (Harg. VII. 21. Strype's Annals, V. 538, 546.)

determined to take upon themselves the responsibility of putting the warrant into execution; and it was immediately despatched, without the queen's knowledge, to the Earls of Shrewsbury, Kent, Derby, Cumberland, and others, ordering them to see the sentence executed. It was dated on the third day of February, and was signed by Burleigh, Leicester, Hunsdon, Knollys, Walsingham, Derby, Charles Howard (a Catholic), Cobham ("not evil inclined" toward Mary[1]), Hatton, and Davison.[2]

As soon as the queen discovered this, she called her Council before her "into her withdrawing-chamber, where she rebuked them all exceedingly for concealing from her their proceeding; but her indignation lighted most upon the Lord Treasurer and Mr. Davison, who called them together and delivered the commission. She protested that she gave express commandment to the contrary"; that she had enjoined Davison "to acquaint no man therewith." She then "took order for the committing of Mr. Secretary Davison to the Tower."[3] When she heard of Mary's execution, which took place on the eighth day of the month, she turned pale with anger; gave way to passionate exclamations of grief;[4] expressed great indignation against some of her Council; drove them from her presence; banished them from her Court;[5] and clad herself in mourning. Her long-tried confidant, Burleigh, — still a faithful servant and an able counsellor,

[1] Murdin, 489.

[2] Hargrave, I. 162. Turner, 645, note 100; from Ellis. Camden, 382. Hume, III. 155, 156. Wright, II. 332, note.

[3] Wright, II. 332; Secretary Wolley to Leicester. Camden, 382.

[4] Camden, 388.

[5] Strype's Annals, V. 539.

though aged and infirm, — she disgraced for months, and commanded that Davison should be brought to trial in the Star-chamber. The unfortunate Secretary was severely fined in the sum of ten thousand pounds,[1] and never recovered the royal favor.[2]

The news of Mary's execution was everywhere received with astonishment and awe. Yet it is said of the Pope (Sixtus V.), that he was moved to a burst of admiration for Elizabeth's courage in bringing a royal head to the block; exclaiming, "My God! what a glorious princess! What would I not give to have it in my power to signalize myself in the same manner!" Notwithstanding, he went through all the solemn formalities of renewing her excommunication;[3] absolving her subjects from their oath of allegiance; giving her kingdoms to the first who should seize them; declaring it not only lawful, but commendable, to lay hands on her and on her adherents; and granting plenary indulgence and remission of all their sins to all who should assist for her overthrow.[4]

Elizabeth has been freely and almost uniformly charged with hypocrisy, when informed of the truly mournful death of Mary. Yet we think that the

[1] Camden, 390.

[2] Ibid., 392. Wright, II. 332, note. Turner, 649, note.

[3] Nares, III. 269. Taylor, II. 199. Dr. Taylor adds, — what we may be permitted to doubt, — "On the other hand, Elizabeth caused the Pope to be excommunicated, in St. Paul's cathedral, by the Bishop of London; a retort by which Sixtus was much amused, declaring that 'she was a princess not to be frightened, and that he would do nothing more for the Spaniards.' Though he refused to advance any money for the expedition, he sent whole chests of *Agnus Dei* medals, crucifixes, relics, rosaries, and similar trumpery, with which the Spanish officers so loaded themselves that they looked more like pilgrims than soldiers."

[4] Camden, 405. Rapin, II. 135. Butler, II. 4.

execution was really in advance, to say the least, of her intention; and that — politically necessary as it was, and as she knew it to be — it was still an event which she truly deplored.[1]

[1] I have examined at large all the Papers of the time which I have at command — and they are not a few — which throw light upon Mary's connection with the conspiracy of Babington and upon Elizabeth's true sentiments concerning her execution. Previously, I had passively yielded to the general current of history, along which she is borne as a ludicrous specimen of transparent hypocrisy, imposing upon no one but herself. By the documents before me, I have been compelled to the opinion expressed in the text. I now believe firmly, that Elizabeth, while convinced of the political expediency, or rather of the political necessity, of Mary's death, — while convinced too of her complicity with plans for her assassination, — shrank to the very last from the responsibility of giving a commission for a death-warrant. Her grand fault was in doing so a single moment before she had irrevocably determined upon Mary's execution. This she had no right to do, notwithstanding the apparent necessity of being prepared for an emergency.

That I may not seem to stand entirely alone, I give the following quotations.

"That upon the first news of the Scots Queen's death" — which seems to have been signalled to her by the rejoicings of the populace (Strickland, VII. 458) — "her Majesty expressed great *pretended* grief, seems to be but an odious insinuation; and would have been too mean a piece of hypocrisy, beneath the queen. And those solemn and earnest protestations she used in her speeches to the States of her realm in Parliament, the delays she made, the scruples she put to her judges and learned in the laws of England, show how concerned and serious she was; and unwilling, and almost resolved, in her own mind, to proceed no further with that queen than close restraint; at least yet awhile." (Strype's Annals, V. 538.)

"When she heard of Mary's execution .... there was no affectation or hypocrisy" — in her show of anger and grief, — "but there was great inconsistency in herself, and injustice to others, in this conduct. She had felt, on its public grounds, the expediency or necessity of the punishment. The whole Protestant portion of her people, we may add of Europe too, were desiring and requiring it..... It does not appear that *any* Protestant was averse to this dire incident, *except Elizabeth*..... She found the intended and wilful precipitation of her cabinet ministers had purposely made the retractation of her order to issue the warrant impossible..... But this celerity, well meant by those who had the care of the common safety, and seemingly their duty as servants of the whole State, had precluded Elizabeth from all benefit of reflection or reconsideration, and had been

We have before mentioned[1] the preparatory steps of the Puritans, in 1583, for the general adoption of church discipline upon the Presbyterian plan. Annexed to the Platform which we then described — of which that of Geneva was the prototype — was "a new form of Common Prayer to be used in public."[2] In the year 1584, the Platform, or Book of Discipline, was somewhat modified, and seems to have been the same which, together with a bill for its adoption, was offered to the Commons of 1584–5 by Dr. Turner; both of which, however, the House prudentially refused to entertain.[3] Just before the meeting of that Parliament it had been printed at Cambridge, "as meet to be embraced and used by all the parish churches of England."[4] But nearly all the edition had been seized by the Vice-Chancellor of the University, (and probably was burned agreeably to Archbishop Whitgift's counsel,) as "very factious and full of untruth"; as though the incoming

meant to do so. Her regret was therefore strong for the severity, and her resentment as earnest, that in such a case she had been so instantaneously obeyed," — *dis*obeyed, one would think, judging from the annals of the times. "Both their conduct and hers were equally natural, equally sincere, and equally venial, — perhaps also equally unblamable. . . . . There was no reason for her to act dramatically such feelings before the public eye; because that public were against her on this question, and on the side of her ministers. . . . . She was therefore too much offending the united feelings of her people, by her resentment to her most popular and venerated cabinet ministers, to be justly suspected of any hypocrisy in her conduct." (Turner, 648, 649, note 114.) There is more, in this extended note of Mr. Turner, which might be read with interest. It is rich in its confutation of the sneers of Hume and Lingard.

[1] Vol. II. 270 – 276.

[2] Strype's Whitgift, 247.

[3] Ibid, 151, 177. *Ante*, Vol. II. 461 – 463.

[4] Bancroft's Sermon on the Divine Right of Bishops; in Hicks's "Bibliotheca Scriptorum," (London, 1709,) p. 286. Hereafter, in referring to this sermon, I shall designate only the page in "Hicks."

light of day might be scared back by clamor or veiled out by smoke.[1] In this book no mention was made of the civil magistrate,[2] which may have been one reason why it met with no favor in the Commons House. Soon after that Parliament, the book was again revised, and was more or less improved;[3] and it seems to have contained some indifferent recognition of the prince's relation to the Church.[4]

Religious liberty was yet in its leading-strings. Only the despised Brownists had as yet grasped the grand idea of freeing the Church and the worship of God from the patronage and control of the State. The Presbyterian Puritans still clung to the old idea of ecclesiastical unity, and still held that the civil power should be the strong right arm of the spiritual body. They had, however, taken one step in advance of the order established, and towards that entire freedom in religious worship whither they were unconsciously tending, and which was really germinating in their system. They had drafted a Form of Prayer for public service, but they had provided therein that this prescript should not be obligatory, that every officiating minister might follow it, or might modify it, according to the promptings of his own heart.[5]

The Presbyterian Book, — "The Holy Discipline of the Church described in the Word of God," — after these revisions and emendations, had been subscribed by the two Classes, or Presbyteries, of Warwickshire

[1] Strype's Whitgift, 151; Annals, V. 413, 414. Brook, II. 328.
[2] Hicks, 287.
[3] Strype's Whitgift, 247.
[4] Hicks, 287.
[5] Ibid., 288. Strype's Whitgift, 177, 257. Collier, VII. 34. *Ante*, Vol. II. 462.

and Northamptonshire, containing twenty-four ministers. In this their subscription they avowed the Book to be agreeable to the word of God, *so far as they were able to judge*, with the exception of some few points yet to be decided. They also promised therein to seek its adoption by humble suit to the Council and to Parliament; to further and advance it by all other lawful and proper means, so far as consistent with the law and with the peace of the Church in its present state; *not to enforce* the same against either;[1] and to observe the classical conferences, the provincial meetings, and the general assemblies, prescribed in the Book.[2]

When the Parliament of 1586–7 reassembled, on the fifteenth day of February, to which day they had been adjourned, after the reading of two unimportant bills in the lower House, they adjourned again for one week, when — February 22d — they again met and proceeded to business.[3] Five days afterwards the Puritan voice was once more heard.

A petition was presented from the Puritan clergy for redress of certain evils and grievances in the Church. "It pierces our hearts with grief" — so read the supplication — "to hear the cries of the people for the Word of God. The bishops either preach not at all, or very seldom; neither can they, for their manifold business in the inspection of their dioceses and for their being encumbered with civil affairs. . . . . And whereas the Scriptures say that ministers of

[1] This express stipulation, this *religious* covenant, this prominent condition, in the bond of Presbyterian brotherhood, is a point of importance. It will claim particular attention hereafter.

[2] Strype's Whitgift, 263, 264.

[3] D'Ewes, 407, 408.

the Gospel should be such as are able to teach sound doctrine, and to convince gainsayers, yet the bishops have made priests of the basest of the people, not only for their occupations and trades whence they have taken them, — as shoemakers, barbers, tailors, water-bearers, shepherds, and horsekeepers, — but also for their want of good learning and honesty. How true this our complaint is may appear by the survey of some shires hereunto annexed, *even some of the best*, whereby the rest may be estimated."[1] After stating that, of those ministers able to preach instructively, many resided not with their flocks, and others held two or three benefices; and after stating also that great numbers of those best qualified for preaching, though neither heretics nor schismatics, were suspended and deprived, and that many of them had been in prison and *in irons* for a long time,

[1] This "Survey" was a series of statistical tables, constructed at much expense of labor and money, showing in one column the name of each incumbent of a benefice, and whether he was or was not a preacher; in another, the yearly value of the benefice; in another, the number of souls in the cure; in another, the "conversation" of each incumbent; besides other columns showing other facts. In the "conversation" — or moral deportment — column, we find such entries as these, "he liveth as a pot-companion"; "a simple man"; "a common dicer, burned in the hand for felony, and full of all iniquity"; "covetous, his curate an ignorant man." (Neal, I. 180.) The surveys of different counties were attested by residents; some of them justices of the peace, some of them clergymen. It appeared from this document, that, "after twenty-eight years' establishment of the Church of England, there were only two thousand preachers to serve nearly ten thousand parishes." Yet, "a third part of the ministers of England were covered with a cloud of suspensions." (Ibid., 181.) In corroboration of the character of the clergy as stated in this "Survey," I anticipate the remarkable words of Sir Richard Knightley when on trial before the lords in the High Court of Star-chamber (*infra*, Chap. V.): "I must needs confess there are in the ministry some good; yet to my thinking, for one good there are forty bad; yea, so bad as I think them not worthy to sweep the church." (Hargrave, VII. 36.)

the petition proceeded: "To bring about these severities, the bishops tender to the suspected persons an oath *ex officio* to answer all interrogatories which shall be put to them, though it be to accuse themselves, and when they have gotten a confession, they proceed upon it to punish them with all rigor..... Those who have refused the oath have been cast into prison, and commanded there to lie without bail till they yield to it. The grounds of these troubles are not impiety, immorality, want of learning or of diligence in their ministerial work, but for not being satisfied in the use of certain ceremonies..... and for not being able to declare that everything in the Book of Common Prayer is agreeable to the Word of God. We therefore most humbly, and for the Lord's sake, crave at this high and honorable Court of Parliament, that it may please you to hear and read this our supplication, and take such order for it as to your godly wisdom shall be thought necessary."[1]

After the reading of this petition, Mr. Cope, with

[1] Neal, I. 179, 180.

"The grievances annexed to this supplication were: — 1. The absolute power of the bishop to give, or to take away, licenses to preach, at his pleasure; 2. The proceedings of the Ecclesiastical Commissioners according to their own discretions, *without regard to law;* 3. That only three of them might decide the most weighty causes; 4. The not allowing any appeal; 5. That bishops sit on the bench both as bishops" — interested parties — "and as Commissioners; 6. The oath *ex officio.*" (Neal, I. 180.)

I have inserted this petition as having been presented on the twenty-seventh day of February, only because (though dated "Nov., 1586") Mr. Neal says (I. 181), "*With* the supplication and survey above mentioned, a bill was offered to the House of Commons," &c.; referring to the bill here mentioned in the text. This is the only clew I have to the time when the Petition was presented. I also *suppose* it to have been read.

the Presbyterian Book of Discipline and its form of Common Prayer and administration of the sacraments in one hand, and with a bill for their enactment in the other, addressed the House of Commons upon the necessity of a learned ministry, and of amending certain defects in the existing ecclesiastical system. He then offered the bill, providing "that all laws now in force touching ecclesiastical government should be void, and that the Book of Discipline and of Common Prayer which he presented might be received into the Church to be used, and none other." He then desired that the Book might be read. To this the Speaker objected, that her Majesty had already commanded the House not to meddle in such matters. Notwithstanding this, the House so insisted upon the reading that the Speaker was obliged to yield, and directed the Clerk accordingly.

At this juncture Mr. Dalton interfered with an argument against the reading, in which he urged that, inasmuch as the Book "did appoint a new form of administration of the sacraments and ceremonies of the Church, to the discredit of the Book of Common Prayer and of the whole State, this dealing would bring her Majesty's indignation against the House, for such things her Majesty had especially taken into her own charge and direction." Others rejoined, "showing . . . . . that it was proper that the petition and Book should be read." These speeches engrossed the whole time until the usual hour of rising; so that the reading was not effected.[1]

These proceedings roused the queen. The next

[1] D'Ewes, 410. Strype's Whitgift, 256.

day she sent for the Speaker, and detained him so long that the House did not sit during the day. She demanded of him the bill and the book which had been presented, and also the bill and the book "for the like effect which were delivered at the last session of Parliament," that is, during the Parliament of 1584–5. All these he sent to her Majesty, but precisely when does not appear.[1] That he did not send them forthwith, is evident from what followed.

These proceedings roused Peter Wentworth. When the House came together on the next day,— the first day of March,— "the reading of the Bill and Book was moved again by him," *and they were read*.[2] They were no sooner read, than warmly discussed, as will soon appear; and after a while they were attacked in a speech by some member of the House, for whose name we have no voucher.[3]

"The whole reformation begun in King Edward's time, and undertaken by her Majesty, consisteth chiefly in a true government of the Church, in the pure doctrine of Christ, and in a godly order for public prayer and administration of the sacraments,

[1] D'Ewes, 410.

[2] Strype's Whitgift, 256, 257.

I make these two assertions on the sole authority of Mr. Strype. He says positively: "In the beginning of March, it" — the reading — "was moved again by Mr. Wentworth." On the next page he adds: "Both this bill and book seem to have been read afterwards, though endeavored to have been smothered at first." For this he gives his reasons; founded in a speech against both, which I now proceed to quote in part. The only reason which I have for giving it in this precise connection is, that I know not where it could more appropriately be given; for the bill and book which it discusses must have been withdrawn from the House, and in the queen's hands, very soon after she demanded them of the Speaker on the last day of February.

[3] Mr. Strype conjectures (Life of Whitgift, p. 257) that this member was Sir Christopher Hatton.

with other holy rites and ceremonies. This reformation was made upon most grave consideration by the learned doctors and fathers of this Church. It hath eftsoons been fined and refined," — he forgot to say that the doctors and fathers intended to have fined and refined further, — "and by her Majesty, at length, brought to such perfection as the profession of this reformed religion in England hath been ever since the chief key and stay thereof, in all the reformed Churches of Christendom. . . . . Among all the assaults made hitherto by sundry sectaries against this our reformation, there was never any, to my knowledge, comparable to this last Bill and Book exhibited here among us. . . . . If I be not deceived, I find a shameful slight, and cunning point passed over, in this bill exhibited. It is well known that some ringleaders in this schism have taught that it was unlawful to have a prescribed form of service in the Church. But now your fellows have framed us one. Belike they meant every such kind of service to be unlawful, except it were of your own making. In good earnest, do you mean indeed as you seem? Shall we have a Book of Common Prayer to be usually read, so as the common people who cannot read, by often hearing one form, may learn the same, to their great comforts elsewhere? What meaneth the Book, then, when in the rubric before your chapter of public exercises, such an order is there prescribed as doth never permit the chief part thereof — the confession in the first chapter — to be read in the Church? Besides, what meaneth this? There is a form of service set down to be used before and after the sermon, which is

indeed the whole service. And yet, in the rubric after the same, 'It shall not be necessary for the minister daily,' etc. And in the chapter of baptism, 'He prayeth in this manner, *or such like*.' And in the chapter of the Lord's Supper, 'The minister giveth thanks in these words following, *or the like in effect*.' So as for anything I see, although — to please us withal — there be in show a Book pretended, yet in truth there is no such matter, but all, or the most part, is left to the minister's spirit.

"Touching the second part of our reformation, — true doctrine, — I take it the whole sum thereof is contained in the Thirty-Nine Articles. Whereof I find by this Bill and Book three of them wholly condemned or abrogated; viz. the thirty-fourth, of the traditions of the Church; the thirty-fifth, of Homilies; the thirty-sixth, of making of bishops and ministers. Besides, it seemeth to me that one of the articles of our faith is, in effect, abrogated, — 'He descended into hell.' But this is a question, it seems, among divines. I will not meddle with it.

"But I come to speak of our" Church "government, which in some points is quite overthrown, in some greatly shaken, and by some much endangered. That which I therefore mislike in this Bill and Book is, that it is very injurious to us of the laity, to the chief of the clergy, but especially to her Majesty.

"First, to ourselves. It appeareth in the sixth chapter of this Book that when any ecclesiastical man should die, or be removed, the right of patronage should be in every Presbytery. And so, Elders, I know not how, should present to the livings. Which

toucheth us all in our inheritances; and besides turneth to our no small reproof, in that . . . . . we only should be thought unworthy to continue our right. . . . . But yet, in this matter, we are further touched. Here are orders set down for the burthening of every parish with one pastor, at least a doctor, two deacons at the least, besides I know not how many elders. . . . . But neither bill nor book do speak one word with what livings, or how, those officers shall be maintained. Wherein there is a piece of cunning used, supposing that plain dealing would have hindered their purpose. For indeed their meaning is to draw from us, maugre our heads, our impropriations. And if the spoil of the bishops and cathedral churches will not serve their turns, they set down that we are bound to surrender our abbey lands and such other possessions as have at at any time belonged to the Church. . . . . For the enriching of themselves, they labor to impoverish us. . . . . For mine own part, I have some impropriations, and I thank God I keep them with a good conscience.[1]

"Secondly, for the overthrow of the present state of the clergy by their Presbyteries, especially archbishops and bishops, as being callings not agreeable to the Word of God, as the bill saith. I will leave this to divines, being a matter without my reach. . . . . This only do I judge: that hereby a great indignity is offered to the honor of this realm, in seeking to spoil the same of one essential part of the second state, to alter the honor of our

[1] Yet he had just said, "Not one word do they say with what livings, or how, those officers shall be maintained."

Parliaments, and to bring it into a barbarous equality.

"But thirdly, I find this Platform injurious to her Majesty's supremacy, her strength, her person. . . . . For although it be said therein that the sovereign majesty is placed by God in highest authority under him, over all persons and causes ecclesiastical and civil, yet mark how the book interpreteth itself. Forsooth, the dominion they speak of is this, — that the sovereign must see and command the ordering of them as God hath appointed in his word. He must not make any himself by his ordinary authority, but see others make them. Which is not sovereign authority in causes, but in persons.

"Again, where this bill affirmeth that the guidance of the Church is committed to the pastors, doctors, and elders, ... where it saith that the Presbytery hath authority to choose, ordain, and displace all ecclesiastical officers, to visit, to decide causes, to appoint conferences and synods, — in the end what is left to her Majesty? . . . . .

"Now of the second point, — how it diminisheth her Majesty's strength. In my conceit, her strength standeth very much upon her revenues. . . . . Now what a loss would her Highness sustain, if, as hath been said, all her impropriations should be taken from her? and perchance her tenths and first-fruits?

"Lastly, touching her Majesty's person and safety. I account it hereby greatly endangered, in that her Highness is made subject to the Presbytery censures, reprehensions, suspensions, and excommunications. Which, though it be not precisely there named, yet

I am sure none will deny it, sith it is so largely set out in the Ecclesiastical Discipline. For who knows how far they will proceed if her Majesty do disregard their excommunications? Is it not, think you, very well known what outrageous assertions are made hereof in your chief Presbytery men's books? ..... Yes, indeed![1]

"So as to conclude: I assure you, so far forth as I am able to look into these matters, I think there never was moved in a Parliament, and urged with such importunity by those who would be reckoned her Majesty's best-affected, most faithful, and most dutiful subjects, a matter of greater inconvenience nor mischief. For I pray you, Wherein differ these men from the Papists? The Pope denieth the supremacy of princes. So, in effect, do these. ..... The Pope, where he entereth, doth abrogate all such laws as any prince hath made in Church matters to his dislike. And so would these men do with all the laws, canons, constitutions, and orders heretofore made in the Church."[2]

We value this speech, maugre some of its absurdities; for it is in some measure an analysis of the Book of Discipline, and it also betrays the worldly — perhaps we may say sordid — grounds

[1] That is intimated here which I find plainly asserted elsewhere by their opponents, — that the Presbyterians would have had the sovereign in such subjection to the Church that, if excommunicated, "the people might punish him, and that *thereby he ceased to be* their king." So monstrous a doctrine I cannot believe to have been held by the English Presbyterians, until I find evidence somewhat in proportion to its monstrosity. The whole subject of the Presbyterian theory of the relation of the prince to the Church, I intend to examine hereafter.

[2] Strype's Whitgift, Appendix, Book III. No. XXXI.

upon which, in part at least, it was resisted. It is the only fragment which we have of the debate which followed the presentation of the Bill and Book. Yet it is evident that more had been said, and in earnest too; because this orator said that, before his speech, the matter had been "urged with importunity." Something, we think, must have been said in the course of the debate which challenged, or which categorically denied, the right of the House to canvass such matters; something of the sort which provoked the following pungent and characteristic episode from Mr. Wentworth.

On this same day (March 1st), he rose in his place and said: "Mr. Speaker, I have here certain Articles which contain questions touching *the liberties of this House*. I desire that they may be read. Inasmuch as all laws which concern God's glory, and all such as concern the strength and protection of our noble sovereign and this worthy realm, are to be made by this Honorable Council, I, as one moved by all dutiful love to set forward God's glory, as also the wealth, strength, and safety of our natural queen and common weal, do earnestly desire to be satisfied of a few questions to be moved by you, Mr. Speaker, concerning the liberty of this Honorable Council. I find in myself a willing mind to deliver unto this Honorable Assembly whatever I have the simple talent to do, to gain to His Highness honor and glory, and to show unto my noble prince and commonwealth true, faithful, and dutiful service. Of the same mind, I am sure, Mr. Speaker, are many godly, faithful, and true-hearted gentlemen in this Honorable Assembly. Howbeit,

the want of knowledge and experience of the liberties of this Honorable Council doth hold and stay us back. For, as we have a hearty desire to serve God, her Majesty, and this noble realm, even so are we fearful and loath to give or offer any offence to her Majesty, or unto her laws; the which we presume we shall not do if we keep ourselves within the circle of them. But then, no man can observe that of which he is ignorant. Wherefore I pray you, Mr. Speaker, eftsoons to move these few questions by question; whereby every one of this House may know how far he may proceed in this Honorable Council in matters that concern the glory of God and our true and loyal service to our prince and state. For I am fully persuaded that God cannot be honored, neither our noble prince and Commonwealth be preserved or maintained, without free speech and consultation of this Honorable Council: both which consist upon the liberties of this Honorable Council and the knowledge of them also. So here are the questions. Mr. Speaker, I humbly and heartily beseech you to give them a reading; and God grant us true and faithful hearts in answering of them; for the true, faithful, and hearty service of our God, our prince, and our realm, will much consist hereafter upon the answer, — for the which answer it behooveth us to use wise, grave, and godly considerations. Therefore, the Lord direct our tongues, that we may answer them even with his spirit; the spirit of wisdom, without which our wisdom is nothing else but foolishness."

"Spare your motion, Mr. Wentworth, until her

Majesty's pleasure be further known touching the Petition and Book lately delivered into the House."

"Nay, Mr. Speaker, I cannot be so satisfied. I request that my Articles be read."

"I will examine them; and then do what seemeth fit."

The Articles, or questions, were then passed to Mr. Puckering, who coolly put them into his pocket, and afterwards "showed them to Sir Thomas Heneage, who so handled the matter that Mr. Wentworth went to the Tower, and the questions were not moved."[1] We quote them, however, to show (although, in this case, no prohibitory message had been sent by the queen) how well Mr. Wentworth had kept, in its spirit, his promise to his inquisitors in 1576,—"If God forsake me not, I will never during my life hold my tongue, if any message is sent wherein God is dishonored, the prince imperilled, or the *Liberties of the Parliament* impeached."[2] But we quote them also for their intrinsic worth.

"Whether this Council be not a place for any member freely and without controlment of any person or danger of laws, by bill or speech to utter any of the griefs of this Commonwealth whatsoever, touching the service of God, the safety of the prince and this noble realm?

"Whether that great honor may be done unto God, and benefit and service unto the prince and state, without free speech in this Council, which may be done with it?

"Whether there be any Council which can make,

[1] D'Ewes, 411. [2] *Ante*, Vol. II. 37.

add to, or diminish from, the laws of the realm, but only this Council of Parliament?

"Whether it be not against the orders of this Council to make any secret, or matter of weight, which is here in hand, known to the prince or any other,[1] concerning the high service of God, prince, or state, without the consent of this House?

"Whether the Speaker, or any other, may interrupt any member of this Council in his speech used in this House, tending to any of the forenamed services?

"Whether the Speaker may rise when he will, any matter being propounded, without the consent of the House, or not?

"Whether the Speaker may overrule the House in any matter or cause there in question; or whether he is to be ruled or overruled in any matter, or not?

"Whether the prince and State can continue, stand, and be maintained without this Council of Parliament, not altering the government of the State?"[2]

[1] The reader should remember that the Speaker had just been summoned to the queen's presence, in consequence of Mr. Cope's presentation of the bill and book; and that, without doubt, he had then revealed to her the doings in the Commons House.

[2] D'Ewes, 411.

"These questions of Mr. Wentworth are curious, because they contain some faint dawn of the present English Constitution, though suddenly eclipsed by the arbitrary government of Elizabeth. Wentworth was indeed, by his Puritanism, as well as his love of liberty, (for these two characters of such unequal merit arose and advanced together,) the true forerunner of the Hampdens, the Pyms, and the Hollises who, in the next age, *with less courage because with less danger*, rendered their principles so triumphant." (Hume, III. 673; note T.)

I quote this with approbation; except to say, how strange that two characters, if of largely unequal merit, should have coalesced; should have arisen and advanced together; and should have continued like twin brothers so long!

We can hardly suppose that Mr. Wentworth was sent to the Tower merely for offering these questions, which related purely to the rights, privileges, and decorum of a legislative and deliberative Council. However offensive they may have been, and doubtless were, to the queen, we think that his great sin in her eyes was urging the reading of the bill and book, aggravated probably by some bold speech in their behalf, — the same offences for which four other members were committed.

Soon after his colloquy with the Speaker, the latter was again summoned by her Majesty; so that "the House departed."[1]

The next day, Mr. Cope, who had introduced the bill and book, and Mr. Lewkenor, Mr. Hurleston, and Mr. Bainbrigg, who had argued for their reading, were summoned before the Privy Council, "and thence were sent to the Tower."[2]

On Saturday, — March 4th, — "Sir John Higham made a motion to the House for that divers good and necessary members were taken from them, that it would please them to be humble petitioners to her Majesty for their restitution."

"If the gentlemen were committed for matter within the compass of the privilege of this House," replied Mr. Vice-Chamberlain Hatton, "then there might be a petition. But if not, we shall give occasion of her Majesty's further displeasure. It be my advice, therefore, to stay until we hear more, which cannot be long. I will say further touching the book and petition, that her Majesty, for divers good causes best known to herself, hath thought fit to

[1] D'Ewes, 411. [2] Ibid.

suppress the same; yet she conceiveth it very unfit to give any account of her doings."[1] Nevertheless, her Majesty *did* give an account of her doings; not indeed of her imprisoning the members, but of her disliking and suppressing of the bill and book *for which* she imprisoned them. This we shall soon show.

It is well to take notice that a certain measure of timidity on the part of the Court was betrayed by the queen's favorite. A *supposition* was resorted to, to cover the arrest of the members; a pretence that they might have been arrested for something that pertained not to the privileges of the House. Indeed, this was uniformly done in like cases. The Court shrank from avowing honestly and openly, what no one doubted, that the members had been thus dealt with because they had broached matters concerning the Church contrary to her Majesty's repeated inhibitions. We think this fact indicates that the old spirit of the Commons, so signally manifested in the year 1566, was not forgotten and had not become extinct.

Here this matter rested until the thirteenth day of March, when, upon motion by Mr. Cromwell, a committee of nine, some of whom were stout Puritans, were appointed to confer with those of the Privy Council who were of the House, "concerning those gentlemen, members of this House, lately committed to the Tower."[2] We have no information of the result of this conference; nor do we find when the offenders were set at liberty.

We are told that "the House were much in-

[1] D'Ewes. 412.

[2] Ibid., 415.

timidated by the commitment of its members."[1] Not so much intimidated, however, that they had not courage to resume the same discussion of Church affairs which had induced the royal severity. On the eighth day of March, Sir John Higham "moved that it was fit to have the amendment of some things whereunto ministers are required to be sworn," — referring to the examination by the oath *ex officio mero;* "and that some good course should be taken to have a learned ministry." We see here the influence of the supplication of the Puritan clergy. The result of this motion was, that a committee, consisting of all the Privy Council who were of the House, and twenty-nine others, — containing a generous Puritan leaven, — "were appointed to confer upon some reasonable motion to be made unto her Majesty for redress in these things."[2] Though we find no further mention of this matter on the Journal of the House, there is reason enough to believe, not only that this committee did address her Majesty, but also that "these things" were considered to embrace the whole matters embraced in the Bill and Book which had been introduced by Mr. Cope, and which had produced so much commotion. We think so, because the queen was "addressed by petition in behalf of *this new model,*" and sent the following answer to the House.

"Her Majesty is fully resolved, by her own reading and princely judgment, upon the truth of the Reformation which we have already; and mindeth not now to begin to settle herself in causes of

[1] Neal. I. 182 [2] D'Ewes, 413.

religion. . . . . Her Majesty thinketh it very inconvenient and dangerous, while our enemies are laboring to overthrow the religion established, that we, by new disputations, should seem ourselves to doubt thereof. Her Majesty hath fully considered, not only of the exceptions that are made against the present Reformation, and doth find them frivolous, but also *the Platform* that is desired, and accounteth it most prejudicial unto the religion established, to her crown, to her government, and to her subjects. Her Majesty thinketh that, though it were granted that some things were amiss in the Church, ... to make every day new laws . . . . . (especially, touching religion) were a means to breed great lightness in her subjects, to nourish an unstayed humor in them, in still seeking for exchanges. . . . . If anything were amiss, it appertaineth to the clergy more properly to see the same redressed. . . . . Her Majesty takes your Petition herein to be against the prerogative of her crown. For, by their[1] full consents, it hath been confirmed and enacted (as the truth herein requireth) that the full power, authority, jurisdiction, and supremacy in Church causes, *which heretofore the Popes* usurped and took to themselves, should be united and annexed to the Imperial Crown of this realm."[2]

We have gleaned all which we can find of the Puritan movement during this session of Parliament for Church reform; enough, however, to satisfy us — contrary to the current testimony of his-

[1] Whose?

[2] Strype's Whitgift, 259, 260

torians — that neither the Puritan element nor the Puritan spirit had yet abated in the popular branch. The Journal is indeed barren, — we have had occasion to notice this before; but from other sources we have found enough to indicate that even more was said and done and dared, in opposition to the hierarchy and to the ecclesiastical pretensions of the Crown, much more also in behalf of the oppressed clergy and the famishing congregations, than we have the means of verifying.

We cannot assent to the statement, that "the Bill of the Puritans went to introduce a new discipline, but not to abolish episcopacy."[1] This was true of the previous Parliament, when the bill and the book offered by Dr. Turner were refused by the Commons; but in this Parliament the bill and the book (essentially the same as his) were read and advocated. In this fact we recognize another; that *now* the Commons sought, and avowed their seeking, not only "to introduce a new Discipline," but *also* "to abolish episcopacy." The evidence of this we have recited; first, in the words from the Journal, that the bill provided "that all laws now in force touching ecclesiastical government should be void"; again, in these words of the speech which we have cited, "for the overthrow of the present state of the clergy, by their Presbyteries, especially Archbishops and Bishops, as being callings not agreeable to the Word of God, *as the bill* saith"; and yet again, in the words delegated by the queen herself, "*the Platform that is desired* she accounteth most prejudicial unto the *religion estab-*

[1] Neal, I. 180; editor's note.

lished, to her crown, to her government, and to her subjects."

We therefore concede to this House of Commons as stern and manly a resolution for freedom of speech as that which manifested itself in the memorable struggle of the year 1566, a more determined spirit of ecclesiastical reform, and greater boldness in urging it. We perceive in the queen also a deference to the temper of the Commons *similar* to that which she then exhibited.

We confess further obtuseness. We can neither appreciate the statement that "this bill offered to the House was an insolent mutinous action in the Puritan ministers," nor the statement, "it was no wonder the queen should except from a general pardon men so ready to oppose authority."[1] We cannot see how exercising the right of petition — for the Puritan "ministers" were only petitioners — can be termed "mutinous," however unreasonable the object; nor how mere petition, or offer of a bill in the regular course and form of legislation, deserves to be called "insolent"; nor how its offerers or its originators were in any sense excepted as such from the royal act of a general pardon. The act did indeed exclude from amnesty offenders against the Act of Uniformity, and against the act to retain the queen's subjects in due obedience, an act against Catholics. But only by the first exception could either the Puritan petitioners or the offerers and advocates of this bill have been touched; and then only by a forced construction so

[1] Bishop Warburton, Works, Vol. XII. p. 382, London edit., 1811. Heylin's Hist. of Presb., Book VIII. Sec. 11.

far as their doings in Parliament were concerned. But it was not a *new* thing to make these particular exceptions. The first had been made in just one half the acts for a general pardon which had been granted by the queen.[1]

Nineteen years had passed since Mary Queen of Scots had been caged by her royal cousin of England. Nineteen years she had suffered all that a high-minded woman could suffer from unmerited restraint, and from a corroding sense of indignity and wrong. State policy had proved too strong a tempter to Elizabeth. She had rashly seized the opportunity which a casualty had afforded, and had held in her grasp a defeated queen who had fled to her realm for refuge. This false step she had found no way to retrace, much as she and her ministers had afterwards desired it.[2] She dared not undo what she had done, lest the royal captive, freed, might gather strength and assay a terrible revenge. Thus, to ward off the consequences of her first rash

[1] This exception was inserted in the acts for general pardon under the Parliaments of 1566, of 1580–1, and of 1584–5. Under the Parliaments of 1562–3, of 1571, and of 1575–6, there was such an act, but no such exception. Under the Parliaments of 1572 and 1588–9 there was no such act.

Bishop Warburton says more explicitly (p. 383), "A bill to establish themselves and impose the discipline upon others, was an insufferable insolence." Suppose this to be admitted; and we do admit it, so far as the nation, in distinction from the Parliament, were concerned. But the words cut both ways. If to establish Presbytery and impose its discipline by Act of Parliament — which was the only process proposed — was insufferable insolence, so also it was to establish Episcopacy and impose *its* discipline. More so; because the discipline of Episcopacy was in the teeth of English law; and its liturgy, unlike that now proposed, without liberty. Yet the same vice pertained to each party. Each was for being established; each was for imposing its discipline

[2] *Ante*, Vol. I. 420.

wrong, she had added wrong to wrong, doubled the perils of her crown with each revolving year, fortified those growing perils by growing wrongs, until no surety had been left her but the headsman and the block. Thus the first step in sinful national policy had impelled to a second, and thence onward, until Elizabeth had come, in this one case, "to haul iniquity as with cords of vanity, and to draw sin as it were with a cart-rope."[1] Upon such is denounced a woe. Bitterly did Elizabeth experience the woe; so bitterly, that we doubt whether it was not fully commensurate with that which she inflicted. The stroke of the axe was but a trifle. It conferred a double boon. From the morning of Mary's captivity to the first knowledge of her bloody release, Elizabeth had not known a placid hour, save when the gayeties of her Court, the business of State, her rural pastimes, or her dreamless sleep, had barred out the thought of her captive kinswoman. Her cankering consciousness of a great wrong-doing, her carking anxiety lest accident might make the wrong recoil, were bitter drugs in her cup of all these years.

"By the Eternal God!" exclaimed the Earl of Leicester to Gilbert Talbot, when the Earl of Shrewsbury — Talbot's father — was Mary's keeper, "if they could ever bring the queen to believe that there were jars between them," — the Earl of Shrewsbury and his Countess,[2] — "she would be in

[1] Isaiah v. 18.

[2] Allusion has been made before to these "jars." (*Ante*, Vol. II. 145, note.) They probably furnished one reason why the Earl was relieved of the irksome custody of Mary. They continued, I know not how long; probably until death ended them. I find William Overton, Bishop of Litchfield and Coventry, writing the following tart words, in the year 1590, to the Earl of

such a fear as it would sooner be the cause of the removing of my lord's charge than any other thing, for I think verily she could never sleep quietly after as long as that queen remained with them." Talbot, in reciting this to his father, added: "And next it troubleth the queen that you are not so well beloved of your tenants as she would wish, which was the cause of her [illegible]e earnest letters."[1] This alone is sufficient to show the constant and nervous disquietude which Elizabeth in an evil hour had entailed upon herself during the long captivity of Mary. "The trite adage, that guilt carries with it its own punishment, was never better exemplified."[2]

Mary had been at rest six months. Her mutilated remains had lain unhonored at Fotheringay Castle, — save by the orisons and tears of her devoted servants, — until the first day of August, when, with the ceremonial of a pompous state funeral, they were removed thence and deposited in the choir of the cathedral church of Peterborough.[3]

In the mean time Queen Elizabeth, whatever may have been her self-reproaches, had come to experience comparative tranquillity. She had no more

Shrewsbury, who was purposing a separation from his wife.

"But some will say in your lordship's behalf, that the Countess is a sharp and bitter shrew, and therefore like enough to shorten your life, if she should keep you company. Indeed, my good lord, I have heard some say so; but if shrewdness" — shrewishness — "or sharpness may be a just cause of separation between a man and wife, I think few men in England would keep their wives long; for it is a common jest, yet true in some sense, that there is but one shrew in all the world, and every man hath her; and so every man might be rid of his wife, that would be rid of a shrew." (Lodge, III. 5.)

[1] Lodge, II. 217; Talbot to Shrewsbury, April 15, 1579.

[2] Lodge, II. 217, note.

[3] Twenty-five years afterwards they were removed by her son to Westminster Abbey.

reason to apprehend domestic disturbance in behalf of one who had been translated to a better crown than Scotland's, to a better inheritance than England's. Her Parliament had been dissolved for months, and she was surrounded by her Court in their noontide splendor. It was about the middle of August.[1] Many of her nobles were with her in the garden of her palace, her ladies in waiting, a few of the dignitaries of the Church, a multitude of others who had occasional access at Court, and the presence was better furnished with armed guards than before the discovery of Babington's conspiracy. Every one was enjoying the luxury of a summer's day, and if now and then a chance allusion was made to the prospect of an invasion from Spain, it was not in her hearing, nor did it mar any one's enjoyment, for it was a theme which roused English blood to anything under heaven but fear. It was an hour when her Majesty chose to exclude all cares of State; sacred to recreation and social pleasures;

[1] Lingard says (VIII. 266, note) that the servants of Queen Mary, who before her public obsequies had been "confined close prisoners at Fotheringay, were *then* dismissed; and the natives of France repaired to London on their way to their own country, but were there detained during a fortnight." Miss Strickland, who I fear sometimes sacrifices accuracy to pathos (not to say prejudice), says that "they were detained at Fotheringay after Mary's funeral nearly three months, in the most rigorous captivity, barely supplied with the necessaries of life, and denied the privileges of air and exercise." She says too much. She alleges a degree of barbarity scarcely credible in a case so peculiar, — a barbarity strangely in contrast to her own testimony, but a few lines above, where she has a different object in view, that these same servants were most considerately indulged, served with "the choicest of dainties and the best of wines, and *kindly* pressed to partake of their good cheer." I therefore reject her *date* about the release of these servants, and adopt Dr. Lingard's, in fixing the time of what I am about to state.

when the courtiers strove only who might minis most to the taste and vanity of their sovereign, brilliant dialogue, gay repartee, and gallant flatter Such as were not in immediate attendance upon person were strolling about the grounds, amusi themselves in every way they might fancy, no inconsistent with the decorum due to the roya presence. Elizabeth was therefore in her best hu mor, for she was always happy in being surround with happiness. In the midst of a merry reply t some scintillation of wit, her words were cut shor by an outcry in a tone of alarm but a little way off With a frown upon her brow she beheld one of her stout guards in the act of pinioning a stranger of courtly appearance but slender form, while other guards were running thither.

"Ha! who dares!" exclaimed the queen. "See to it, my Lord Chancellor, and tell us what this meaneth."

Hatton soon returned.[1] "It is nothing which deserves your Majesty's notice. Some fellow, who seemeth to have no right here, hath excited suspicion."

"Nay, we will know. Zounds! man, speak!"

"A fellow who hath more loaded dags about him than befitteth so near approach to your Highness. By chance he dropped one as he was approaching your Grace, and was seized. The brightest light of the world —"

"Ha! stop them, Sir Christopher; they are hurrying him away. Bid them bring him hither."

Two of the guards, followed closely by others, led forward the prisoner.

[1] Hatton had been made Lord Chancellor, April 29th, 1587. (Stow, 742. Camden, 401. Life of Hatton, 463.)

"Who are you?" said the queen, sternly.

"Marguerite Lambrun."

"Marguerite! Marguerite!" exclaimed her Majesty, in astonishment.

"Madam, I wear a beard," and she tore it from her face, "and man's apparel, but I am a woman."

"Odds life! My lords, is this a merry play? Your errand?"

The prisoner's eyes filled.

"Hold, sirs!" to the guard. "Loose your hands. An iron grasp is unmeet a woman's arm."

"Nay, madam," said Marguerite, and her lips quivered, "I mind not a rough hand. What is the pinching of an arm to me, lady, who carry a broken heart?"

Her streaming tears, her choking voice, left no doubt of her inward grief, and all who heard or saw — for a crowd had gathered — felt pity. Elizabeth herself was touched.

"Who hath broken your heart?" she said in a milder tone.

"Elizabeth of England."

The silence of the crowd, which had been almost breathless, gave way to a general murmur and a few indignant words.

"Hist! we do greatly marvel at words so bold and strange. Heard you ever, my lords, the like of the queen of England?"

"Sometimes," murmured Hatton, with a significant gesture.

Elizabeth smiled; but instantly resumed, "Speak, woman! How might this thing be?"

"Madam; you have reft all that my heart did love. How could it help breaking?"

"What have we taken? Speak."

"My mistress, my queen, my chief-beloved, Mary of Scotland. My husband, too. My all. Yes, lady; beggared and broken-hearted. You bid me speak. You bade me tell mine errand. I obey. For years, my husband and myself had been honored in her service. We were with her when — when —" She paused, partly from emotion, partly because even the queen's cosmetics could not hide that her cheeks were paling. "Madam, the horror of that scene was a dagger to my husband. I tried, I prayed, that the wound might stanch; but — but — lady, I am a widow. I lost a royal mistress and a loving husband at Fotheringay. I felt my heart-strings yield; but I vowed over both their coffins that I *would* live to revenge both. I came here to fulfil my vow. A few steps more, and I had succeeded. I have struggled hard against my purpose; but in vain. Lady, I have obeyed you."

By strong effort, Elizabeth had recovered her outward composure, even under such a tale; and calmly asked, "What think you is my duty upon the hearing of such a case?"

"Do you put that question to me as a queen, or as a judge?" said Marguerite, respectfully.

"As a queen."

"Then you should grant me a pardon."

"But what assurance can you give me, that you will not abuse my mercy and attempt my life again? Should I pardon, it should at least be upon condition to be safe from your murderous revenge in future."

"Grace fettered by precautions, grace that hath conditions, is no grace."

"By my faith! my lords," said the queen, "thirty years have I now reigned, and never before have I found a person to read me so noble a lesson! My good lords, shall I not bid her go?"

Her courtiers, and especially they of her Council, remonstrated strongly. But the queen heeded them little. After some little conference with them apart, she turned to Marguerite.

"Are you not a Frenchwoman?"

"I am."

"Whither would you, should I set you free?"

"To my country and my kindred."

"By God's wounds! I will pardon thee; and I do it without conditions. You shall have safe and honorable conveyance to your own country. My loyal guards, see that she is cared for."

Marguerite Lambrun gave the queen a look of ineffable gratitude, and even of admiration; for the first time, rendered a mute obeisance; and, covering her face, walked quietly away, followed by the sympathies of all who had heard her sorrows; by the admiration of all who could appreciate the heroism of her crime. It is superfluous to say, that the queen's promise of safe conveyance was fulfilled.[1]

When Marguerite's pistol fell, as she was in the act of arranging it for ready use, there was but a step between Elizabeth and death. Probably nothing but feminine awkwardness saved her. It was her most perilous moment, and her most wonderful escape during her long and eventful reign. Had she showed the like magnanimity towards the Queen

[1] Dictionnaire Historique, Article *Lambrun*.

of Scots, the Briarean malice of half of Christendom might also have been disarmed; and others, better than Sixtus Quintus, would have exclaimed, and in a different spirit, "What a glorious princess!" The world would have rung with her praises; and posterity — without a shudder — would have revered her name.

CHAPTER V.

ANNUS MIRABILIS.

Martial Preparations in England. — The Spanish Armada. — Its Plan of Operations. — Auxiliary Forces expected from France, the Netherlands, and Heaven. — Motives and Purposes of Philip of Spain. — Anxiety on the Continent. — The Spanish Fleet enters the English Channel. — The First Skirmish. — The Naval Force of England. — The Lord Admiral Effingham gives Chase and Fight. — The Spaniards anchor at Calais. — Are dispersed by Fire-ships, and attacked in Detail. — The Spaniards hold a Council of War, and resolve upon a Retreat through the Northern Seas. — Their Sufferings and Disasters. — Only sixty Sail succeed in reaching Spain. — The Mourning of the People. — The English Camp at Tilbury. — The Queen's Speech there. — The Loyalty of the English Catholics. — God the Victor. — Thanksgiving of the English. — The last Days of the Earl of Leicester. — His pious Epistles.

1588.

It had long been predicted by astrologers, in various parts of the world, that the year of our Lord 1588 would be a year of remarkable and momentous events. By a Prussian seer it had been more particularly announced, more than a hundred years before, that a terrible fear would then pervade the nations, and be immediately followed, either by the destruction of the world, or by some great event which would change the forms of government, and bring great distress upon the people.[1] "Whence the astrologers fetched their intelligence hereof, whether from heaven or hell, from other stars, or from Lucifer alone, is uncertain. This is most sure,

[1] Stow, 743, 749. Camden, 402. Birch, I. 51, 52; Faunt to Bacon.

that this prediction, though hitting the mark, missed the meaning."[1] So far as the apprehensions of men were concerned, the prophecies wrought their own fulfilment; for the Christian world, universally awed by the pretensions and auguries of occult science, "by reason of the aforesaid predictions, had stood at gaze for divers years past, vehemently expecting more strange and terrible alterations, both in imperial and regal estates, than ever happened since the world began."[2] God wrought the rest. In the year specified he crippled the right arm of Papacy. He paralyzed the secular power upon whose devotion and strength Rome could most depend; and since she has found no champion to extend by force her terrific despotism. Thus "the Governor among the nations" opened a highway for civil and social progress which has been trodden by increasing multitudes to the present hour.

Early in the year 1588, England presented an unusual appearance. Martial preparations were going on, to a greater or less extent, in every county. In almost every hamlet the forge of the armorer was ringing with the sound of the anvil, and his shop was glittering with lances, petronels, calivers, muskets, corslets, bills, and halberds. Before the month of June had closed, along the coast from Land's-End to Dover, twenty-one thousand two hundred and seventy-two men were equipped for war, in readiness to be drawn quickly together and placed "under leaders who had orders to join one another as occasion should require."[3] In the month of July,

[1] Fuller, Book IX. p. 192.
[2] Stow, 743.
[3] Rapin, II. 135. Camden, 405. Murdin, 612.

thirty-four thousand and four hundred foot-soldiers and nineteen hundred and fourteen cavalry were detailed from the several counties, under command of Lord Hunsdon. These were also furnished with arms, and received orders, on the twenty-third day of the month, to attend upon her Majesty's person at St. James's; ten thousand of them (Londoners) to appear on that day; the others to do the same on different days, specified to each division, from the sixth to the tenth days of August.[1] There were also enrolled a distinct corp of twenty-four hundred and eighteen cavalry and twenty-seven thousand foot, "to be drawn together to make an army . . . . . in June."[2] The command of these was committed to the Earl of Leicester.[3] From motives of policy and economy, only fifteen thousand foot-soldiers, with their proportion of cavalry, were collected and marched to Tilbury, at the mouth of the Thames, where they took position in an intrenched camp.[4] The detachment

[1] Murdin, 612, 613. Stow, 744. Wright, II. 375. Camden, 405. Strype's Annals, VI. 13, 14.

Dr. Lingard says (VIII. 291), "that this army existed nowhere but on paper." But her Majesty, in the latter part of June or early in July, ordered its enrolment and arming. (Strype's Annals, VI. 14.) Are we to understand Dr. Lingard as affirming that the queen's orders were not obeyed? If so, we cannot credit him. The whole realm, and especially her nobility and officers, showed the greatest alacrity upon this occasion; ready even to *exceed* the royal requisitions. Although this special army for attendance upon her Majesty's person was never wholly mustered, we cannot doubt that they were detailed, equipped, and ready for service at any moment. But it would seem, and upon good testimony, that this army *was* mustered in part, though not encamped, "about London, at Strafford, East Ham, and the villages thereabout." (Leicester to the queen, July 27th; Turner, 676, note, from Ellis.)

[2] Murdin, 611.

Camden says (p. 405), "a thousand horse and twenty-two thousand foot."

[3] Stow, 744, 749.

[4] Ibid., 744.

moved thither with the greatest enthusiasm, was led by experienced captains, and comprised many old soldiers.[1]

All these military operations had been carried on by orders of the queen to her lieutenants of the counties, issued from time to time; which "directions were so well performed that she could not but receive great contentment thereby." But on the eighteenth day of June she issued to them new orders "for a larger proportion of furniture both for horsemen and footmen."[2] Soon after, she also called upon her nobility "with all possible speed to furnish armor and weapons meet for their calling, and for their servants and able tenants that were not already enrolled in general musters."[3] In the month of May, the Archbishop of Canterbury, agreeable to orders from the Council, had called upon the clergy to contribute to the general armament; directing that "such ecclesiastics as had means should, as each bishop should think fit to allot to every one, furnish lances, light-horses, petronels on horseback, muskets, calivers, pikes, halberds, bills, or bows and arrows."[4] Such had been the measures taken by the Court. Their result was, that throughout the entire realm eighty-three thousand six hundred and ninety-one men had been enrolled and armed.[5]

[1] Stow, 744.

[2] Strype's Annals, VI. 534, 535; Appendix, Book II. No. L.

[3] The Lords of the Council to the Nobility; Strype's Annals, VI. 13, 14, and Wright, II. 375.

[4] Strype's Whitgift, 275; and Appendix, Book III. No. XXXVIII.

[5] We may not place entire confidence in the tables in Murdin, pp. 594 – 605, showing the number of "men prepared for the defence of the kingdom." They contain evident typographical errors. For example; the number — incredible — of "*able* men" in Oxford county, as given on p. 597, was ninety-four thousand five hundred and sixty-

Nor were the forces thus raised raw recruits. A small proportion only had seen actual service; yet, "through the whole realm, of late years, directions had been given for the mustering, arming, and *training* of all persons" — the nobility excepted — "able to bear armor," . . . . . and "to be in readiness under captains and leaders."[1] In London, particularly, during the last three years, "the Gentlemen of the Artillery Garden" so called — men who had had military experience abroad — "once a week voluntarily exercised themselves in practising all usual points of war; and every man by turn bare orderly office, from the corporal to the captain. They also trained up others for the ready use of war; so as within two years there were almost three hundred very sufficient and faithful to train and teach common soldiers. Some of them this year had charge of men in the great camp" — at Tilbury.[2] By these means, involuntary and voluntary, of the eighty-three thousand six hundred and ninety-one men furnished with

four. This error, however, is indicated in the summary table on p. 608, where the number given is only four thousand five hundred and four. Again, in that summary table, the columns showing the men armed and the men trained are incorrectly cast. These are specimens of errors.

I have, therefore, gone over all the local tables — the tables which state the number of men armed and trained in each county — with great care; making my own summary. I find as the result, that the total number of "armed men" was 83,875, — whereas the summary table gives the number 80,875; that the total number of "trained men" was 46,847, — whereas the summary table gives the number 44,727. I may myself have made some error in casting such an array of figures. But a *perfect* estimate from the local tables could not be relied upon absolutely; because we know not in how many instances typographical errors exist. Any result must be considered only an approximation to the truth.

[1] The Council to the Nobility; Strype's Annals, VI. 13, 14, and Wright, II. 375.

[2] Stow, 744.

arms and armor, forty-six thousand eight hundred and forty-seven had been well drilled in martial exercises. No despicable army of English heart and English blood, had they been called to fight on their own soil in defence of English hearths and English altars.[1]

The cause of all this military stir became visible on the twentieth day of July,[2] — a fleet just entering the mouth of the English Channel,[3] the largest and most powerful that had ever been afloat.[4] It was the proud naval armament of Spain "bending its course directly for Flanders,"[5] intending to pass close under the coast of France to avoid the naval forces of England. Such had been the instructions of Philip.[6] It consisted of one hundred and eleven large ships, accompanied by twenty small ones, called caravels, and by ten *salves* with six oars each. The caravels and salves were merely tenders to the fleet.[7]

[1] This will be seen by studying the tables in Murdin, pp. 594 – 605, and taking the second note on p. 594 (of that collection) as a key.

[2] Camden, 411. Wright, II. 379; Sir Francis Drake to Lord Henry Seymour.

[3] Stow, 747.

[4] Carte, III. 624.

[5] Stow, 746.

[6] Lingard, VIII. 299. Hume, III. 174.

[7] But Strype says (Annals VI. 19) one hundred and thirty. So says every other historian, except Lingard, who says "one hundred and thirty-five men-of-war." Strype's summary of the fleet does not tally with the schedule from which he reckons, and which he gives in his Appendix, No. LI., — a schedule published by authority in Spain. Nor, indeed, does the schedule itself, in its summary, agree with its own statement of particulars. For while this summary, whence our historians derive their statements, gives one hundred and thirty ships — exclusive of the thirty tenders — as the whole number of the fleet, in going over its previous enumerations only one hundred and eleven are found of all classes, — galleons, galleasses, galleys, ships, pinnaces, pataches, and zebres. The galleons were vessels "of greater size than any ever before used in Europe" (Hume, III. 174); "longer than ordinary ships of war, with cannon on each flank and powerful batteries

The whole fleet carried twenty-six hundred and thirty great guns, nineteen thousand two hundred and ninety-five veteran soldiers officered by veterans,[1] eight thousand four hundred and fifty mariners, two thousand and eighty-eight galley-slaves, one hundred and twenty-four adventurers or volunteers, who had with them four hundred and fifty-six armed servants. There were also one hundred and sixty-seven cannoniers.[2] But besides these weapons of carnal warfare, the fleet was strong in a spiritual equipment of one hundred and eighty priests, a tutelary saint for each ship, and also a litany composed expressly for the success of the expedition, and having a distinct office for each day in the week.[3] The aggregate measurement of the fleet was fifty-seven thousand eight hundred and seventy-eight tons.[4] The Duke of Medina Sidonia[5] expected to be joined off the coast of Normandy by the Duke

on the prow and stern." (Lingard, VIII. 290, note.) Hume says there were nearly a *hundred* of them. But the Spanish schedule specifies *seventy-three* galleons *and* ships. It mentions galleons but twice; in one place saying "ten galleons"; in the other, "fourteen galleons *and* ships." So that the galleons could not have exceeded twenty or twenty-two.

[1] Camden, 402.

[2] The Spanish Schedule; Strype's Annals, VI., Appendix, No. LI.

This Schedule was already known in England. Philip had published it in Spanish, Italian, Latin, Dutch, and French, and it had been translated into English in London, and there printed. (Strype's Annals, VI. 18.)

[3] Strype's Annals, VI. 19. See also *ante*, p. 150, note 3, for certain other equipments.

[4] Spanish Schedule.

[5] "The moment the fleet was preparing to sail, the Marquis of Santa Croce, the Admiral, was seized with a fever, of which he soon after died. The Vice-Admiral, by a strange concurrence of accidents, at the very same time suffered the same fate; and the king appointed for Admiral the Duke of Medina Sidonia, a nobleman of great family, but inexperienced in action, and entirely unacquainted with sea affairs." (Hume, III. 173,

of Guise with an auxiliary force of twelve thousand men. It was the Admiral's intention to proceed, after having received these troops, to Flanders; there to unite himself with the Duke of Parma,[1] who awaited him with thirty thousand foot-soldiers and five thousand horsemen, — the most experienced troops in Europe, — and three hundred and forty transports fitted to run ashore upon a light draught of water.[2]

The reader has doubtless anticipated in general that this formidable fleet was designed for an attack upon England. But there are some particulars of King Philip's purposes which require statement. The first object was to receive the forces of the Guise, the second, to receive and convoy those of the Duke of Parma, who had no ships, but only flat-bottomed transports. The forces of Parma, united to those of the Admiral, would amount to forty-nine thousand men and five thousand horsemen, well supplied with the munitions of war. Add to these the twelve thousand soldiers of the Duke of Guise, and we have a total of sixty-six thousand warriors with whom the Admiral expected to effect a hostile landing upon the English coast. The plan of the enterprise was, that the Duke of Guise, under protection of the fleet, should land upon the southern coast in the counties of Hampshire and Devonshire, to divert thither most of the English forces; that

174.) Don Martino Ricaldo, of Cantabria, was appointed Vice-Admiral. (Stow, 745.) "The Marquis of Santa Croce was an officer who had grown gray in the naval service, and whose brow had been shaded with the laurels of numerous victories." (Lingard, VIII. 290.)

[1] Stow, 746. Hume, III. 174.

[2] Stow, 745.

the Duke of Parma, with the rest of the soldiers, should land in Kent or Essex, — probably at the mouth of the Thames, — reserving, however, twelve thousand men to effect a descent upon Yorkshire; thus making invasions at three different points, and, as nearly as possible, simultaneously.[1]

But the Court of Spain confidently anticipated that the invading army would not be the only force with which Elizabeth's soldiers must contend. They believed that all the Catholics and other malcontents in England would co-operate with the Spaniards against the queen; and that many others would follow their example, who were Protestants only upon compulsion, "either they or their fathers having been born and educated in the most holy faith."[2]

With all this force in hand and in prospect, and assailing a people for the most part unused to war, and enervated by long internal peace, Philip entertained not the least doubt of success; and in the pride of his confidence styled his fleet "The Invincible Armada."[3] Yet, although the Spaniards had full confidence in the sufficiency of their warlike appointments, and believed that they had "more expert captains than her Majesty had good soldiers," the invincibility of the Armada was alleged upon more cogent reasons. Their victory was certain, because the angel of God would so scare the heretics that they would either desert to the Catholics or run away; because all the virtuous priests in the world and all the saints in heaven were praying for

[1] Stow, 746. [2] Stow, 745.
[3] Ibid., 743. Strype's Annals, VI. 8–10

the success of the expedition; because many priests were in the fleet to serve every man's spiritual necessities, — to say nothing of saints' bones and *Agni Dei*; because the king's forces were guarded with all God's holy angels, with Christ himself in the sovereign sacrament, and with the daily most holy oblation of his own dear body and blood. Having these helps, which her Majesty and her assistants had not, they could not fail to conquer, even were their numbers never so few, and their appointments never so scant."[1]

The Spanish monarch had been incited to an enterprise so stupendous and costly, partly that he might revenge himself upon Elizabeth for injuries done to his mercantile marine, and for her interference in the affairs of the Netherlands; partly that he might win for himself a glorious crown; but above all, that he might reclaim, "not England only, but the whole isle of Great Britain, to the Church of Rome."[2] It was his first ambition to be the champion of the Catholic faith; to defend its supremacy; to extend its domain; to exterminate Protestants. England was the stronghold of his enemy, the stronghold of heresy; her power and credit were its chief support throughout the Christian world. Her conquest and religious revolution would, therefore, be the chief glory of his diadem; for he might thus force the whole of Christendom again to confess the

[1] Fuller, Book IX. pp. 196, 197; an abstract of "An Admonition to the Nobility and People of England and Ireland concerning the present Wars made for the Execution of His Holiness's Sentence. By the High and Mighty King Catholic of Spain: By the Cardinal of England; Anno MDLXXXVIII." See Lingard, VIII. 463. I shall soon describe this book.

[2] Strype's Annals, VI. 20.

authority of the Papal See.[1] His mission — a holy crusade for the recovery of an apostate kingdom — had the blessing of the Pope, the sanction and prayers of the whole priesthood. It was to be prosecuted with unsparing fidelity, by fire and sword and fagot, upon all who should resist it; for it had been deliberately resolved, and upon the express authority of the Vatican, that "the English nobility and gentry should suffer confiscation, death, and eternal damnation, except, instantly upon the landing of the Spaniards, they should join themselves, with all their men, munition, and victuals, with the Catholic army; . . . . . that all men, of what degree soever, who should aid, abet, defend, or acknowledge Elizabeth . . . . . should but do so bootless to their own present destruction and eternal shame; . . . . . that in the fury of the intended massacre there should be as great care taken of every Catholic and penitent person" — by implication, of such only — "as possibly could be."[2] In short, no one who should

[1] Strype's Annals, VI. 7, 8. Hume, III. 168.

[2] Fuller, Book IX. p. 196; "Admonition to the Nobility and People of England and Ireland." Compare Camden, 409.

"This Tract was printed at Antwerp, to be distributed in England at the moment of the invasion. But the invasion did not take place, and care was taken to burn almost all the copies." (Lingard, VIII., Note L. p. 463.) Its title and date I have given in note 1, on the preceding page. Dr. Lingard adds (p. 466, note), that the substance of the "Admonition," under another title, was printed separately, for distribution, upon a small broadside; but was also destroyed. He tells us also, that the "Admonition" was subscribed, "From my lodging in the palace of St. Peter in Rome, this 28th day of April, 1588. The Cardinal." Fuller says (Book IX. p. 197), "The Book goes under the name of Cardinal Allen, though the secular priests say he was the cloakfather thereof, and that Persons the Jesuit made it." But whoever framed it, Cardinal Allen, by affixing his signature, became responsible for it. This Dr. Lingard admits. The only specimens of it which I have seen are the sketch of a part by Fuller (which I have

resist the purposes of the crusaders in any way should have the least hope of eternal salvation; and no one excepting the arch-heretic Elizabeth should have the least hope of his natural life. She was to be held unharmed, and sent forthwith to Rome, "that his Holiness *might dispose of her person*

used), and the sketch of another part by Lingard, who discreetly omits (he is often thus discreet) its "breathing out of threatenings and slaughter." Gee, in his introduction to Persons's "Memorial of the Reformation in England" (pp. xlix., li.), gives a slight notice of it, embracing some points not brought to view by Fuller or Lingard. From the Catholic historian, I cull the following specimens of its discourse about Queen Elizabeth. "She is a bastard. . . . . She was intruded by force. . . . . She is guilty of perjury in violating her coronation oath. . . . . She sells laws, licenses, ... &c., for money and bribes, with which she enriches her poor cousins and favorites. Among the latter is Leicester, whom she took up first to serve her filthy lust. . . . . With the aforesaid person, and with divers others, she hath abused her body against God's laws. . . . . She does not marry because she cannot confine herself to one man. . . . . She hath murdered bishops, priests, and the Queen of Scots," &c., &c., &c.

Such a Tract received the signature of a Cardinal! Dr. Lingard is pleased to compare it with libels published against Elizabeth's sister Mary by the exiles at Geneva. The justice of the comparison may be admitted whenever, from their writings, language so foul is produced; and whenever it is shown that John Stubbes called a prince of France a son of the Devil. (*Ante*, Vol. II. 144, note.) But, whether the comparison is just or not, the fact remains and the disgrace — each unsoftened — that to this Tract a chief dignitary of the Church of Rome did not blush to subscribe his name in the very palace of St. Peter.

I improve the opportunity afforded by the mention of the Jesuit Persons, to state that he has been the means of great good in the Protestant Church; of sanctifying and directing the energies of some of her most eminent and useful men; of establishing a chain of events immensely adverse to Popery, whose influences continue to the present day, and have within themselves the principle of perpetuity.

Originally he was a Protestant, and under Protestant influences. (*Ante*, Vol. II. 198, note 2.) After his apostasy he published a book, which, although eminently papistical, contained some relics of his earlier faith. This book fell into the hands of Edward Bunney, a Puritan clergyman who died in 1617. (Brook, II. 252, 253.) The good things in this book he gathered together, and threw the bad away. Those selected he pub-

in sort as should please him."[1] Such was the strict charge respecting her which the king of Spain had enjoined upon his Admiral.

Before the close of the year 1587, the *personal* apprehensions of continental Europe, excited by the ancient prophecy which we have mentioned, had abated. The aspect of affairs seemed to indicate that its fulfilment would be foreign to themselves. Princes, and for the most part the people, blind to the great results which were destined to flow from a local, and comparatively a small cause, saw, or thought they saw, that England alone was to be the theatre upon which the predicted drama was to appear, and where its effects were to terminate.[2] They well understood her peril. They knew how little she was prepared to cope with the mammoth fleet of Spain, with the gray-headed, war-worn sol-

lished. The reading of this book excited to a religious life two men, who afterwards became non-conformist ministers, — Mr. Fowler and Mr. Michael Old. A tattered copy of it fell into the hands of Richard Baxter, and roused him to spiritual life and to that course which resulted in his eminent usefulness. One of Baxter's works wrought the like effects upon Philip Doddridge, whose influence ramified beyond the possibility of calculation through his preaching, through those whom he trained for the ministry, through his "Expositor" and his "Rise and Progress"; which latter work has stamped its lasting impress upon tens of thousands in England, Holland, Denmark, and even in pagan lands. One of these many thousands was William Wilberforce, whose "Practical Christianity" has passed through more than a hundred editions; has been circulated from the Ganges to the Mississippi; solaced the last hours of Edmund Burke; gave to Legh Richmond his first perceptions of the Gospel as a system of spiritual truth; and wrought in Thomas Chalmers "a great revolution in all his opinions about Christianity." I am indebted for this series of facts to the New York Observer of May 10th, 1860, and to the personal courtesy of the editors for their confirmation, which appears in another number of their paper.

[1] Strype's Annals, VI., Appendix, Book II. No. LVII.; Paper sent from Rome to Lord Burleigh.

[2] Stow, 743. Birch, I. 51, 52.

diers of Philip, Parma, and the Guise. The crisis they well knew, involved infinitely more than the slaughter of men, the subjection of a nation, and the rifling of a crown. The freedom of God's Word, the ascendency of spiritual darkness and despotism, — these were the stakes. This was the great fact which engrossed the thoughts of all who watched from afar the coming conflict, and of all who had girded on the sword. For the issue all true Protestants stood breathlessly waiting, or uttering only the breath of prayer. Perceiving that the fate of the English Church was wavering in the balance, and that the turning of the beam would decide their own religious future, and believing that England must be crushed unless a mightier than man should interfere, with unwonted earnestness they made their appeals to God. None of them could render other help but Scotland and the Netherlands. The latter furnished ships.[1] Scotland was timid and wavering.[2]

On the twenty-first day of July the swelling flota of Spain had fairly entered the English Channel. As they passed slowly but steadily along, expanding in the form of a crescent to an extent of seven miles,[3] with a fair wind and crowded sail, their prows and turrets looming loftily above the sea, their aspect and movement were grand and imposing. Their bulk, their ill-construction, and their unskilful man-

[1] Stow, 744. Rapin, II. 136. Hume, III. 171.

[2] Lingard, VIII. 293.

Dr. Lingard and Stow both consider the motives of the Low Countries to have been purely secular and selfish. That their political weal was involved in the impending contest is certain. Yet I cannot doubt that they felt a paramount interest in it as a *religious* contest, and as one involving their own religious freedom.

[3] Stow, 747. Camden, 411.

agement made them sail heavily, but with a port the more impressive and majestic. The sea was open before them. Not an enemy appeared; not a sail, to parley or to scud away; not a sound, to challenge or to give alarm. All this seemed to import that England had become craven, that her heart had sunk. Had her navy skulked away? Would the lion be bearded without a roar? Would the victory be won without a blow? Still they passed onward. They passed the harbor of Plymouth. English ships of war lay there. The Spaniard knew it, but supposed them unmanned and laid up, because his coming was no longer expected.[1] Another omen of easy victory. Still nothing was seen but the sky and the shore and the expanse of water; nothing heard but the voice of command, the call from ship to ship, the stroke of oars, and the dash of spray. Still they moved onward. When Plymouth had been left well astern, a single sail darted from her harbor, turned her head eastward, and looked as if wondering who were passing yonder. Then came out another, and another, and yet others. They were little things — cockboats — in comparison with the royal ships and galeasses at which they seemed to gaze. They crowded sail and scudded towards the strangers, whom they were fast overhauling, as if to get a nearer view of a display so magnificent, — and this was indeed their object. They did not plough the water like the grand Armada, but glided along with ease and speed. When near astern the pride of Spain, they dispersed and shot about hither and thither, still nearer,

[1] Hume, III. 175.

yet at a respectful distance. At length they did their errand from the heretic queen, opening a brisk and telling fire upon the intruders. The message was answered in kind. But while the English rarely lost a shot upon vessels of such size, to strike their smaller ones required sharper marksmen than the Spanish cannoneers;[1] and while a clumsy Spaniard was turning his head to run down upon his assailant, the nimble Englishman had tacked and scud, still keeping his huge mark before him, and still keeping up his unerring and galling fire. The skirmish continued two hours.[2] Yet no considerable loss was sustained on either side,[3] for it was only the opening of the ball,—an English prelude, a fancy test of the Spaniard's seamanship and mettle. This accomplished, the English Admiral drew off, for night was at hand and he chose to unite his ships, several of which he had been unable to clear from Plymouth.[4]

On the nineteenth day of the month the Spanish fleet had first been seen about sunset off Lizard Point, by a Scottish rover, who as soon as possible had given information to the Lord Admiral Charles Howard, Baron of Effingham.[5] The Admiral had

[1] Hume, III. 176.
[2] Stow, 747.
[3] Lingard, VIII. 299.
[4] Stow, 747.
[5] Ibid. Camden, 411. Hume, III. 175.

Charles Howard, the eldest son of Lord William Howard, Baron of Effingham, was born in 1536. The father was made Lord High Admiral in the first year of Queen Mary. He died in 1573. The son served under the father in several naval expeditions, until the accession of Elizabeth. In 1559, when but twenty-three years of age, he was sent by the queen to compliment Charles IX. of France upon his accession to the throne. In 1568, he served as General of the Horse against the rebels of the North; and was afterwards made Chamberlain of the queen's household, and elected Knight of the Garter. On the fourth day of July, 1585, he was raised to the post of

instantly despatched Sir Edward Hoby to her Majesty informing her of the fact, and urging an immediate reinforcement of the fleet. The message had no sooner reached the Court, than several of the nobility and gentry, with all alacrity and enthusiasm, put to sea from various harbors, in vessels which themselves had provided, and soon joined the Admiral.[1]

Effingham's first object, after having sent off Sir Edward, had been to get his ships down the sound to a point where he might bide his time for putting to sea. But a stiff breeze setting flush up the sound had rendered the movement impossible, except by main strength. But his seamen had sprung to their oars with right good-will, and by using the utmost diligence had tugged most of the vessels into proper position during the twentieth day of the month.

Lord High Admiral. (Stow, 709.) Yet Wright says (II. 275, note), that "on the death of his father, in 1573, he succeeded to the office of Lord High Admiral." In 1596, he commanded in chief at sea in the expedition against Spain. For his wisdom and success in this affair, and for his tact in resisting the Armada, he was rewarded with the dignity and title of Earl of Nottingham, in 1597. In 1599, the queen intrusted to him the sole and supreme command of her navy and of her army, with the title of "Lord Lieutenant General of all England." (Stow, 788. Biog. Britannica.) He was a Catholic. (Nares, III. 333.)

Lingard (VIII. 292) speaks of him as one "whose want of naval experience was supplied by a council of able seamen." What was the precise amount of Effingham's naval experience *after* Elizabeth's accession, I do not know. But that the queen, when her crown, her people, her religion, and her person were at stake, and against such odds, should have committed the chief defence of all to an incompetent man, not her special favorite, is not to be supposed. Nor is it to be supposed that the Lord Howard's naval experience was specially deficient; then we consider that he had served in "several naval expeditions" before he was twenty-two years of age, and had performed that service under the eye and tuition of a *father* who was himself Lord High Admiral.

[1] Stow, 747. Hume, III. 176.

From this point on the next day the Armada had been seen, but the Admiral had chosen to let it pass, that he might have the advantage of the wind and of a rear attack.[1]

The royal navy in number and tonnage was very far inferior to that of Spain. The queen's ships and pinnaces numbered only thirty-eight,[2] and few of them exceeded four hundred tons burden. But the loyal zeal of the subjects went far to supply the naval poverty of the prince. When the Council had inquired of the city of London what means they would furnish for the common defence, they had been asked in turn what her Majesty considered requisite. The Council replied, "Five thousand men and fifteen ships." "We pledge you ten thousand men and thirty ships," was their response. In the sequel, they provided and sent out thirty-eight ships,[3] besides "readily" furnishing a loan of forty-nine thousand pounds.[4] When her Majesty had thought it expedient — "having always found her good and loving subjects most ready upon like occasion to furnish her by way of loan of some convenient portions of money — to have recourse unto them in like manner at this present,"[5] the wants of the royal exchequer had been cheerfully met by a prompt response to the royal call.[6] The nobility and gentry had provided and equipped forty-three ships at their own charge, and these, as well as the London ships, were now spreading every inch of canvas to meet the crisis, and were quickly ranged

[1] Carte, III. 626.
[2] Murdin, 619.
[3] Stow, 744. Murdin, 617.
[4] Strype's Annals, VI. 15.
[5] Wright, II. 361.
[6] Hume, III. 171.

under the flag of Effingham, or under that of Sir Francis Drake. These facts are true indices of the spirit which pervaded the whole kingdom. By these means the English fleet now numbered two hundred and one vessels, great and small.[1] Of these, fifty-eight were merely coasters and small craft for the transport of supplies, leaving only one hundred and forty-three which might be called vessels of war. But only two of the hundred and forty-three measured a thousand tons. Of nine hundred tons, there was one; of eight hundred, there were two; of six hundred, three; of from five hundred tons to two hundred, there were forty-two; and the rest measured from one hundred and eighty to thirty tons.[2] The aggregate measurement was fifteen thousand one hundred and fifty-six tons; small indeed compared with the Spanish measurement of fifty-seven thousand eight hundred and seventy-eight tons. Again, on board the English fleet were but twelve thousand eight hundred and seventy-six men,[3] to compete with twenty-eight thousand four hundred and ninety-two fighting men on board the Spanish fleet. An immense disparity of force, surely! We have no means of ascertaining the number of guns carried by the English.

Satisfied with his first experiment, Effingham ef-

[1] There is a typographical error in Murdin (p. 618) in the tabular summary of vessels, making them one hundred and ninety-one, instead of two hundred and one.

[2] Murdin, 615 – 618.

Yet *this* estimate, also, is only an approximation; for on p. 619 of Murdin is another table, in which are the names of *three* ships given whose measurement is stated at nine hundred tons each. Nor can we better trust the tables showing the number of *men* in the English navy; for these tables also show some numerical errors.

[3] Murdin, 615 – 618.

fected a junction with that portion of his fleet which he had left in port, and the next day resumed the chase. He overhauled and attacked the Spaniards at evening. The engagement, which was hot and close, continued until daybreak, sometimes within musket-shot, sometimes within grappling distance, until blood spouted from the scuppers of the enemy. One of their large ships took fire and was "consumed to the lower deck, under which lay store of gunpowder." The Lord Thomas Howard, with a detachment of his gallant sailors, mounted the burning wreck, subdued the flames, and, themselves half suffocated, rescued many of the crew, piteously scorched. Fortunately, the fire was extinguished before it could touch the magazine. A galleon, having lost her foremast, yielded, after an obstinate fight, and afforded a rich plunder of fifty-five thousand ducats, besides plate and jewels.[1] Partly because of calms, and partly for want of powder, — for which he was obliged to send ashore,[2] — the English Admiral effected little else for a few days except galling the enemy at intervals and taking a Portuguese galleon.[3]

At the close of the day — July the 27th — the Spanish fleet came to anchor at Calais, and their English persecutors, like watchdogs, took up a station in their front.[4] For two days nothing transpired except that Effingham was joined by the ships which had so promptly moved at his summons through Sir Edward Hoby.[5]

[1] Stow, 747, 748. Carte, III. 627.
[2] Ibid.
[3] Ibid. Hume, III. 116.
[4] Stow, 748. Camden, 414.
[5] Rapin, II. 136.

The twenty-ninth night of the month settled down upon the hostile fleets which for two days had eyed each other in sullen silence. In the dead of the night a gush of light suddenly appeared a little way in front of the Spanish line. Then it faded as if obscured by smoke. The next moment it re-appeared and shot upward. Then came another, and still others, until eight, but a little way apart, could be seen flashing, rising, falling. Each was in motion before the wind and toward the invading fleet. Each quickly became a vigorous flame, leaping upwards and advancing. Each enlarged, each became a hundred jets of flame, and each plunged along. From the first flash, but a few minutes had passed when eight ships were revealed by the light of their own fire. Soon the flames not only loomed from their decks and jetted from their portholes, but ran down and licked their sides from stem to stern, until each hulk was wrapped in fire as with a mantle. And the eight burning masses dashed on, heading upon the fleet anchored fast in the roadstead, and burning more fiercely at every bound. The sea around was dazzling; the heavens glared save where smoke columns intervened. The two fleets and the city became visible. It was the funeral pyre of the Spanish expedition. As soon as the character and course of the conflagration were revealed, — which was very soon, — loud cries and shrieks were heard from the threatened fleet. The sailors shouted in terror, "The fire of Antwerp!" "The fire of Antwerp!"[1]

[1] Not long before, to destroy the bridge at Antwerp, certain craft were set afloat filled with a peculiar combustible which burned tenaciously and with great fury, and terminated by explosion. Stow

and officers and priests shared their fright. The tutelary saints were invoked; rosaries fumbled; and men ran about making the sign of the cross. All was confusion on board that proud and defiant Armada. One after another the ships cut cable, hoisted sail, and fled, each one as it could, and each crew half distraught. They were never reunited.[1]

The next day the English set upon them wherever they could be found. A large galleass, which had grounded under the walls of Calais, when attacked made a gallant defence, and surrendered only after her commander had been slain, and most of her soldiers and seamen lay dead and dying upon her decks. The greater part of the scattered fleet collected at Gravelines, where they were attacked by the English in full force. The action commenced at four o'clock in the morning, and was sustained with great vigor until six o'clock in the evening. A dozen or fourteen of the best Spanish ships, including two galleons, were sunk or run ashore. Many others were greatly damaged. The floating remnant of the fleet were driven by the wind towards the shoals of Zealand, in great danger of running aground. The

calls it "wild-fire." It may have been something like the noted Greek fire; a terrific composition of olden time. These floats made great havoc, and their fame had spread far. The mysterious nature of the "wild-fire" had added to the terror of its name; and probably its power and prowess had been much exaggerated by rumor and by the imagination of a superstitious people. The Spaniards fancied themselves assailed by the same mysterious invention; whereas the fire-ships sent down upon them by the English — though dangerous enough — were filled with ordinary combustibles and smeared with tar, pitch, &c. (Stow, 748. Carte, III. 628. Hume, III. 176. Lingard, VIII. 300.)

[1] Stow, 784. Camden, 415. Rapin, II. 136. Carte, III. 628. Hume, III. 176.

English seeing this, and not choosing to encounter the same peril, gave over the chase.[1]

The Spanish Admiral could now rally only about eighty sail, and many of these were seriously damaged. By a change of wind, he was fortunately enabled to get clear of the sands upon which he had been drifting. He called a council of war, by which it was decided that to effect a junction with the Duke of Parma, to prosecute further their mission with so few and so disabled forces, or to return through the English Channel, would be equally impracticable. They therefore came to the desperate resolution of seeking Spain around the north of Scotland and Ireland. Accordingly, on the next day, they commenced their retreat. Some of their ships had already escaped in the same direction.[2]

The Lord Admiral Howard, leaving part of his force to watch the coast of Flanders, where the Duke of Parma was fretting, gave chase with the rest of his fleet. The Duke of Medina was disheartened. He had the greatest dread of the stormy northern passage, especially as he was ignorant of its navigation; and when he found himself followed by his persecutors, he would have struck his flag, believing the grasp of a generous enemy rather to be chosen than the pitiless tempests of a northern sea. He was right. The event proved it. But the priests, and especially his confessor, interfered. They so far dissuaded him, that he resolved to fly colors so long as he was not attacked.

[1] Stow, 748. Camden, 415. Rapin, II. 136, 137. Carte, III. 618. Hume, III. 176. Lingard, VIII. 301.

[2] Camden, 416. Rapin, II. 137. Carte III. 628. Lingard, VIII. 301.

He was not attacked, for the English, through the shameful "negligence of the officers in supplying them," were short of ammunition. This only saved the remnant of the Armada from the necessity of surrendering at discretion. When they had passed the Frith of Forth, the Lord Howard resolved upon an attack. But, two hours before the time fixed, he discovered to his chagrin that he had not half enough ammunition to sustain an action. He therefore left the Armada to its fortune and returned to the Downs.[1]

A heavy gale arose that night, which the trim ships of England rode out at anchor. But the Spanish ships, weakened by the brunt of fight, and rendered anchorless at Calais, suffered extremity. They went northward to the sixtieth degree of latitude, passing between the Orkney Isles and the Shetland. The gallants of sunny Spain, and even the hardier soldiers and sailors, sunk under the effects of cold and toilsome navigation. They died daily by scores. Storms arose. The fleet was dispersed. Seventeen ships foundered at sea or were wrecked upon the northern and western coasts of Ireland. Thousands of corpses lay weltering in the depth of waters, or strewed the shores of Christiansand and Bergenhuss, of the Orkneys and Hebrides, of Ulster, Connaught, and Munster.[2] A shivering, staggering band of six hundred managed to get on shore among the wild Irish of the extreme north, between Lough Foyle and Lough Swilly. By order of the Earl of Tyrone

[1] Rapin, II. 137. Carte, III. 628, 629. Hume, III. 177. Lingard, VIII. 301.

[2] Strype's Annals, VI., Appendix, Nos. [LII.] and LIII. Carte, III. 629.

they were attacked, defended themselves as well as they could in their weakness, until their lieutenant and twenty more were shot down, when they surrendered, were sent to London, and lodged in Bridewell.[1] A company of seven hundred set foot in Scotland, where when they hungered they were fed, when they thirsted there was given them to drink. Afterwards, with Queen Elizabeth's consent, they were transported to Flanders and rendered to the Duke of Parma.[2] Thus, of five thousand three hundred and ninety-four men lost to the service of Spain on this northern passage, only twelve hundred and seventy-nine were saved alive. Twenty-one were shot, four thousand and ninety-four perished at sea. In the naval engagements fifteen ships had been lost, with four thousand seven hundred and ninety-one men, making a total loss of thirty-two ships,[3] and ten thousand one hundred and eighty-five men;[4] a statement which corresponds, in round numbers, with that of the Spanish Admiral at the close of his voyage.[5] The English had lost but one hundred men[6] and one small vessel.[7]

[1] Strype's Annals, VI. 22, 23, 542. Rapin says, "*All* who were shipwrecked in Ireland and cast ashore were put to the sword or perished by the hands of the executioner"; a culpable, because a criminating, instance of careless reading. He refers for his authority to Strype, whose statement is only what I have given. Carte also makes the case worse than it was, alleging that "*all* who got ashore in Ireland were cut in pieces, either by the Irish or the Lord Deputy." There is not a particle of evidence that the Irish, wild as they were, lifted a finger against these forlorn and suffering men.

[2] Rapin, II. 137.

[3] This summary — which I have taken from the Papers in Strype — is only of the largest vessels; ships, galleons, and galleasses. No account is given of caravels, pinnaces, galleys, &c.

[4] Strype's Annals, VI., Appendix, No. LIII.

[5] Lingard, VIII. 302.

[6] Echard, 871.

[7] Hume, III. 176.

The strained and shattered remnant of the fleet, with a reduced number of seamen in each ship, and they disheartened by misfortunes and weakened by hardship and short allowance, were tempest-tost in every direction off the southwest coast of Ireland so late as the 10th of September. It was even then a dark question whether they would be able to make a Spanish harbor.[1] But at length they reached the port of Santandre,[2] on the northern shore of Spain, counting only sixty sail,[3] the soldiers and sailors exhausted by hardship, terror, and famine. But a little while before, elated by the rumor of glorious success, of Elizabeth's capture, of her transfer to Rome, and her barefooted suit for absolution, Spain had rung with pæans.[4] Now the whole peninsula was draped in sackcloth, bowed down with mourning, vocal with lamentation. There was not a family of note, perhaps we might say not one among the humblest plebeians, that was not bereaved. It was there as it was in that doleful night when "there was a great cry in Egypt." To heighten the universal gloom, the gaunt soldiers and sailors went about like spectres, telling wild weird tales of English fighters and northern seas.[5]

The officers said that the issue would have been

[1] Strype's Annals, VI. 542, 543.

[2] Lingard, VIII. 302.

[3] Stow, 748.

[4] Ibid., 747.

When Don Bernardo Mendoza, then in Paris, heard that the fleet had anchored under the walls of Calais, he could not contain himself; but rushed into the "Church of Our Lady" with his rapier drawn, shouting "Victory! victory!" The next day came other news; and the too sanguine Spaniard found himself importuned by waggish pages of the other faction, that he would intercede for them with the Duke of Parma for a few trifling gifts of some small towns and villages, — such as London, Canterbury, York, &c. Mendoza hid himself. (Stow, 748.)

[5] Hume, III. 177.

successful, had they not been tied to instructions, without liberty to vary according to circumstances; that otherwise they should have turned upon and crushed the moiety of the English fleet by which they were first attacked.[1]

When the truth was made known to Philip, he was in his chapel. Swearing a great oath, he exclaimed, "In this contest I will consume my crown to the value of that candlestick," pointing to one upon the altar. "I will push this war to such an extreme that England shall become tributary to Spain, or Spain to England.[2]

Such was the inglorious termination of this armed crusade. "Let not him that girdeth on his harness boast himself as he that putteth it off."[3]

Queen Elizabeth had expressed a purpose to meet the enemy in person at the head of her troops should they effect a landing. To this the Earl of Leicester strenuously objected, and rightly; urging that, however the tide of battle might turn, a chance fatality to the sovereign — especially as the succession was undetermined — would insure success to the invaders.

[1] Carte, III. 629.

Hume adds, rather gratuitously, that "the priests, at a loss to account for the victory gained by excommunicated heretics, at last discovered that all the calamities of the Spaniards had proceeded from their allowing the infidel Moors to live among them." Possibly they did say so "at last." But I do not find that they were quick-witted enough to trump up this solution when the catastrophe was first known. Strype — from whom Hume seems to have taken his cue — only says (Annals, VI. 27), "Philip's priests *could* have told him" so.

[2] Strype's Annals, VI. 26.

I reject Camden's statement (p. 418), that he took it patiently, and thanked God that it was no worse; and for the same reason that Strype does.

[3] 1 Kings, xx. 11. The parallel between the two cases is remarkable throughout.

Yet he was willing and desirous, "that in some sort so princely and so rare magnanimity should appear to her people and to the world as it was." He therefore suggested that her Majesty should visit Tilbury "to survey the camp and forts for two or three days," for the sake also of inspiriting the army and the nation at large.[1]

About a fortnight afterwards, it was announced in the camp that her Majesty was about to make her appearance. The soldiers, full of loyal enthusiasm, were arrayed for her reception, and when she rode within the lines, in company with their general, riding a milk-white horse, a simultaneous shout and a peal of trumpets announced her welcome. As she rode through the ranks, her martial bearing and cheerful countenance drew forth successive plaudits, but when with a regal gesture she signified her purpose to speak, every sound was hushed.[2]

"My loving people: We have been persuaded by some that are careful of our safety to take heed how we commit ourselves to armed multitudes, for fear of treachery. But I assure you I do not desire to live to distrust my faithful and loving people. Let tyrants fear. I have always so behaved myself that, under God, I have placed my chiefest strength and safeguard in the loyal hearts and good-will of my subjects; and therefore I am come amongst you at this time, not as for my recreation and disport, but being resolved in the midst and heat of battle to live or die among you all, to lay down for my God,

[1] Leicester to the Queen, July 27th; Turner, 676, notes. From Ellis's Collection.

[2] Camden, 416. Stow, 749. Lingard, VIII. 303.

and for my kingdom, and for my people, my honor and my blood in the dust.

"I know I have the body but of a weak and feeble woman. But I have the heart and stomach of a king, and of a king of England too; and think foul scorn that Parma, or Spain, or any prince of Europe, should dare to invade the borders of my realm, to which, rather than any dishonor shall grow by me, I myself will take up arms, I myself will be your general, judge, and rewarder of every one of your virtues in the field.

"I know already, for your forwardness you have deserved rewards and crowns, and we do assure you on the word of a prince they shall be duly paid you. In the mean time my lieutenant-general shall be in my stead, than whom never prince commanded a more noble or worthy subject, not doubting but by your obedience to your general, by your concord in the camp, and your valor in the field, we shall shortly have a famous victory over those enemies of God, of my kingdoms, and of my people."

The queen's visit was a pleasant episode. It relieved the tedium of life in camp. Officers and soldiers, nobles, gentry, and commoners, acknowledged its inspiring influence. For two or three days she passed to and fro among the soldiery with a kind look for all, and here and there with cheering salutations. She received the compliments of her captains with that royal grace for which she was distinguished. By a kind word or a smile, by a well-turned pleasantry or a family reminiscence, she kindled to most intense fervor the personal devotion of those who kissed her hand. There was no lack of

loyalty in the camp before, or of patriotism, or of martial spirit. But by her presence and princely courtesies, she sanctified and rejuvenated all these moral forces as if by magic; and the more, when she proudly declared that the intense affection of her people was her sufficient bulwark. When she retired to her house at Havering, "We will die for our queen!" was the sentiment of every heart.

True, the Spanish forces were at this time in full retreat. It is true also that their passage northward was known. But it was *not* known, or supposed, that they had abandoned their enterprise; otherwise, the queen's speech would have been an unmasked farce. The prevailing opinion then was, that this northward movement was a feint, intended, it might be, to throw the country off its guard, and that the enemy would soon return to attempt a landing.[1] Some, however, were jealous — and it was not without a reason — that the Duke of Medina was sure of a shelter and a welcome from the trimming king who wore the Scottish crown, and would thus effect an easy passage from Edinburgh to the Tweed.[2]

[1] Camden, 416.

[2] Rapin, II. 137. Nares, III. 339. These facts are a sufficient comment upon the following passage, and upon its covert sneer. "The danger was now over..... The speech said to have been spoken by her at Tilbury might have been prepared for her as an address to the soldiers, if it had been necessary. But she certainly could not exhort them to fight, after the enemy had gone, and when she had resolved to disband her army immediately." (Lingard, VIII. 303, note.) When did Queen Elizabeth *ever* have a speech prepared for her?

So strong was the apprehension that the Spanish Admiral would operate through Scotland, and with the king's consent, that the Lord Ashby, Elizabeth's ambassador there, sought to buy for his mistress the good offices of James to counteract the supposed plan of Medina. For this purpose he "offered him the title of a Duke in England, a yearly pension of five thousand pounds, a guard to be maintained at the queen's charge, and some other

In this connection there is one topic "which we may not overskip." We have before stated that many Catholics denied the power of the Pope to cancel the obligations of a people to their sovereign, and that many of those in England holding that opinion also held firmly to their allegiance, in face of the Papal bulls of deposition against their queen. Others — such as Campion, Persons, Throckmorton, Parry, Babington, and his associates, — held a contrary doctrine, and considered Elizabeth queen only *de facto*. Such were chiefly — we think altogether — of the Jesuitical school. Their numbers were greatly overstated, probably, by the Jesuit priests. Certainly they were, when it was said that *all* the Catholics in England favored the invasion of the country and the dethronement of Elizabeth.[1] Nor can we receive without serious abatement the statement of Ballard that foreign aid alone was wanting to secure a formidable insurrection. Mendoza himself was so far incredulous of his assurances, as to demand proof of their grounds.[2] But notwithstanding the general loyalty of the English Catholics, there were so many, and known to be so many, of the Jesuitical faction, that the whole Catholic population were suspected by over-jealous minds. When, therefore, it became known that Spain was upon the eve of her nefarious errand, it was importunately urged upon Elizabeth that these intestine foes were more to be feared than the foreign; that therefore she should follow the example of her sire when in like circumstances, and dispose of the more promi-

matters." (Rapin, II. 137, note. Camden, 417.)

[1] Strype's Annals, V. 603.

[2] *Ante*, p. 89.

nent of her Catholic subjects under some specious pretence, either by banishment or the block. She rejected this counsel, not only because she thought it both inhuman and impolitic, but because she had confidence in the loyalty of the great mass of her Catholic subjects, notwithstanding the sufferings they had endured under her government. At the same time, considering that there were grounds for this cautionary counsel, she had adopted a measure sufficiently prudential, but less exceptionable and offensive. By her direction, her Council had issued orders to the lieutenants of the shires to lodge in safe hold such Catholics as were most noted for their recusancy, and to commit others less obstinate, and men of conventional importance, to the custody of ecclesiastics and other loyal gentry, to be so far restrained as to preclude their correspondence with their religious sympathizers at home or abroad. This order had been obeyed so far as prudence seemed to require, but none of the chief Catholics had been molested.[1] A few gentlemen had been sent to the palace of the Bishop of Ely, where they had the range of the Bishop's extensive grounds, and were no further restrained.[2]

The confidence of the queen in her Catholic subjects was not misplaced. They were as forward and zealous to furnish arms and money, to fight against the invaders, to defend the person of the queen, as were the Protestants. In this cause, the whole realm appeared "as with one heart and one body."[3] Catholic gentry volunteered service in the navy and

[1] Wright, II. 359; Order of the Council. Camden, 406. Rapin, II. 136.

[2] Harleian Miscellany, I. 143.

[3] Ibid., 142.

in the army, "desirous to take their fortune with the common soldiers." Some equipped ships at their own charge, yielding them to Protestant command. Some roused and equipped their tenants for the common defence.[1] "They were no less unwilling than the rest to see their native country in subjection to the ordinary cruelty found among strangers."[2] Even those confined to the episcopal domain of Ely lacked not patriotic ardor, but wrote to the Council offering to stand in the fore-front of battle "to defend their undoubted sovereign lady and queen against all foreign forces, though sent by the Pope or his command."[3]

We have had occasion to mention Anthony Brown, Lord Viscount Montague, a zealous Catholic, the only temporal peer who opposed the Act of Supremacy when propounded in the House of Lords, and that not only by his vote, but by a sharp, urgent, bold speech.[4] We have mentioned him also as the first informant to the queen herself of the first Catholic plot against her life.[5] Time had not abated his loyalty. With a gallant troop of horse, commanded by himself, his son, and his grandson, he appeared at the rendezvous at Tilbury, thus staking his own old blood and hoary head, the blood and heads of his whole house, in the service of his queen and country.[6] It should be remembered, also, that to a known Catholic the queen intrusted the command of her fleet, the chief bulwark of her dominions. Right gallantly did he fulfil his trust.

[1] Stow, 747. Hume III. 173.
[2] Osborne, 45.
[3] Harleian Miscellany, I. 142, 143.
[4] *Ante*, Vol. I. 146.
[5] Ibid., 277, note 3.
[6] Osborne, 45, note. Butler, II. 11.

We dismiss the topic by quoting with enthusiasm the graphic words of England's most profound historian, — just now gone, in a full old age, to "sleep with his fathers." "In that memorable year, when the dark cloud gathered around our coasts, when Europe stood by in fearful suspense to behold what should be the result of that great cast in the game of human politics, ... in that agony of the Protestant faith and English name, the Catholics stood the trial of their spirits without swerving from their allegiance. It was then that in every county they repaired to the standard of the lord-lieutenant, imploring that they might not be suspected of bartering the national independence for their religion itself."[1]

In reviewing the history of this Spanish expedition, some of the less prominent facts are to us the most impressive. They indicate the operation of Him "who worketh all things after the counsel of his own will." England was the chief sanctuary of the oracles of God. Philip sought to rifle the sanctuary and seal up the oracles. England was the chief bulwark of the Protestant faith, whose vital breath was drawn from the Bible. Philip aimed at her destruction. Elizabeth was "the chiefest protectrix" of that faith and that Bible. Philip thought to carry her away captive. He was warring against a kingdom greater than England's; against a Sovereign greater than Elizabeth. In his initial movement he was met. He "who holdeth king's hearts in his hand, who turneth them as the rivers of waters whithersoever he will,"[2] turned his counsel into

[1] Hallam, 101. [2] Prov. xxi. 1.

foolishness. Mistaking bulk for power, he built ships unfit to weather storms, to effect a landing, or to execute the evolutions of a naval conflict, projected a plan of procedure to which, insanely because rigidly, he bound his officers, and, impressed with the "invincibility" of his force and the infallibility of his plan, scorned to provide the troops of Parma with means to move at will. He was demented by his own pride. He emasculated his giant resources by his own decrees. A slave to the royal instructions, his Admiral dared not attack the fleet in Plymouth.[1] The formidable force of Parma was impotent to act its part, because tied fast at Newport and Dunkirk. The skilled veteran first destined to command the fleet was struck down by death. So also was his lieutenant. Hence delay,[2] always the bane of military movements, especially of such as involve combinations. With inferior officers the fleet set sail, was scattered and shattered by a storm, and again delayed.[3] In the whole, two months were lost. The Duke of Guise, hearing of their disaster, after long waiting doubted that they would come this year, and disbanded his soldiers.[4] Thus, by the lameness of his preparations, and by casualties involving delays, the two wings of Philip's armament were lopped. The huge body floundered on, passive to the will of its master, only to be battered and shorn by its nimble tormentors, to be scared and riven by a floating conflagration, to be chased till out of breath and out of heart, to be torn piecemeal by wind and sea when left to itself and to God.

[1] Lingard, VIII. 299.
[2] Hume, III. 174.
[3] Ibid. Lingard, VIII. 298.
[4] Stow, 746.

The English navy really did but little toward the great result, though it did that little well. The King of kings was England's protector. The God of battles was the victor. He "who poureth contempt upon princes and weakeneth the strength of the mighty, who taketh away the heart of the chief people of the earth, and causeth them to wander in a wilderness where there is no way,"[1] abandoned the monarch of Spain to the counsel of his pride, struck down his most able commanders, hindered the progress of his fleet, dispersed the army of the Guise, pinioned the Duke of Parma, smote Medina with fear and fatuity and his mariners hip and thigh, and spake to the ocean to swallow up his ships. In all these events we recognize the intervention of God. For the salvation of England He fought as obviously as for that of Samaria from the countless hosts of Benhadad.

So thought England. "The kingdom was filled with a sense of gratitude to God for this *wonderful* deliverance."[2] While Philip swore and fumed and kicked against the pricks, Elizabeth acknowledged the Most High. While his people were sitting in ashes, hers sang hymns of praise. At a word from the queen,[3] the realm was vocal with thanksgiving. "Neither our own sword, nor our own arm, did save us, but *thy* right hand and *thine* arm, and the light of *thy* countenance, because thou hadst a favor unto us; *thou* hast saved us from our enemies, and hast put to shame them that hated us," — was the anthem which England sung.[4]

[1] Job xii. 21, 24. Ps. cvii. 40.
[2] Strype's Annals, VI. 27.
[3] Rapin, II. 137.
[4] Stow, 750. 751.

A public tribute was rendered by the queen herself, and with all the pomp becoming royalty. On Sunday, the twenty-fourth day of November, there stood before the entrance of Somerset House a splendid chariot, fashioned like a throne, and surmounted by a canopy which was emblazoned with the arms of England. Milk-white horses were harnessed to it, richly caparisoned. Before it was a brilliant cavalcade, — the Privy Council, the nobility, the prelates, the judges, the French ambassador. On either side of it, the footmen and pensioners of the queen, — so remarkable for their stature, symmetry, and unblemished persons. Immediately in the rear, seated upon a horse and holding her Majesty's horse of state, was the young and gallant Earl of Essex;[1] behind him, and also on horseback, a resplendent train, the ladies of honor, on either side of whom stood the royal guard. These arrangements made, her Majesty was conducted from the door of the mansion to her chariot. The heralds gave the signal, the trumpets sounded, and the magnificent procession moved toward the city, amid cries of "God save the Queen!" from the tens of thousands who thronged the way. The Lord Mayor and Aldermen, in their scarlet robes, welcomed her Highness at the Temple Bar, whence

[1] He was made Master of her Majesty's Horse in June, 1587, when the Earl of Leicester, who had held the office since the queen's accession, was made Lord Steward. (Stow, 743. Birch, I. 74.)

The Master of the Horse has entire control of the royal stables; of their revenues, animals, and servitors of every grade and craft. He only has the privilege of using any horses, footmen, or pages belonging to the stables. At any solemn cavalcade, he rides next the royal coach, with a led horse of state. He is the third great officer of the royal household, the Lord Steward and the Lord Chamberlain having precedence. The office is of high account, and is always bestowed upon some great nobleman. (Jacob's Law Dictionary.)

she proceeded through streets hung with blue cloth, and lined by the "Companies" of the city, in their respective liveries and with their several banners, until she alighted at St. Paul's. There she was received and escorted within by fifty of the clergy, or more, in their richest robes, followed by her royal *cortége* and by a throng of citizens and gentry. The bustle of entrance and arrangement over, the assembly subsided to a breathless silence. Then the Queen of England advanced to the chancel, kneeled alone, and acknowledged with mute devotion the salvation which God had wrought for herself and her people. Then followed appropriate religious services, comprising a sermon by the Bishop of Salisbury, "wherein the glory was given *to God alone*." In the evening, after dining at the palace of the Bishop of London, her Majesty returned, as before, to Somerset House, but under the blaze of a thousand torches.[1]

Thus did England and England's queen do homage to the Lord of Hosts for their deliverance.

Soon after the camp at Tilbury had been broken up, the Earl of Leicester had paid his addresses to her Majesty at her house at Havering, and thence had accompanied her to London, but had immediately retired to his neighboring seat in Wanstead. Here he brooded awhile over a bitter disappointment. The queen in her address at Tilbury had spoken of him as her lieutenant-general, by which title she signified that she had invested him with unlimited authority over her kingdoms of England

[1] Stow, 751. Camden, 418. Echard, 872.

and Ireland, for the exercise of which he was responsible to none but herself. So far as her intentions and declarations extended, she had indeed done so. The letters patent to that effect had also been drawn, and lacked only the royal signature and seal. At this juncture, the Lord Chancellor Hatton and the Lord Treasurer Burleigh had interfered, remonstrating solemnly against the delegation to any subject of a power almost equal to that of the sovereign. They had succeeded, and the panting ambition of the Earl was clipped, just as he was ready for the last and highest flight.[1]

He had also domestic disquietude. Once infamous for his heartless gallantries, he had of late years become remarkably uxorious.[2] But hardly had this change occurred, when he was stung by the suspicion that the measure which he had meted was being measured to him again; that his own marriage-bed was held no more sacred than he had held the marriage-beds of others. When he returned from the Low Countries in November, 1586,[3] he fancied that there were undue familiarities between his Countess and Sir Christopher Blount, the gentleman of his horse. That a passion existed between them is unquestionable. Without betraying his jealousy, he had taken Sir Christopher with him upon his return to the Netherlands in the following June,[4] and there attempted his assassination by a hired ruffian. Sir Christopher was fearfully wounded, but recovered. Neither he nor the Countess doubted whence the

[1] Carte, III. 629. Hume, III. 674, Note V. Lingard, VIII. 304.
[2] Camden, 419.
[3] Stow, 741.
[4] Ibid., 743.

blow had come, or for what cause, so that the incident only served to strengthen their mutual love. The barb still rankled in Leicester's breast, yet he sustained the manner of a trusting and doting husband. When his wrath toward Hatton and Burleigh had been cooled by his considerate seclusion at Wanstead, he left there with his Countess on the twenty-sixth day of August, as nearly as we can ascertain, and proceeded that day to Maidenhead, twenty-six miles from London, on the way to his castle of Kenilworth.[1] This movement was, apparently, upon a sudden impulse. But the Lady Lettice believed it premeditated. She remembered the attempt upon Sir Christopher, and her suspicions were excited by this journey undertaken without apparent reason. Knowing well the story of a certain tragedy having occurred in Berkshire twenty-seven years and fifty weeks before, she feared lest the complement of the twenty-eighth year would witness a like one at Kenilworth. Like her lord, however, she suppressed all signs of her inward disturbance, and so successfully, that he believed he was taking an unsuspicious victim to her doom. Such were the ominous relations of this husband and wife when they left Essex for Warwickshire with every show of mutual good-will. At Maidenhead, the Earl wrote to the Lord Treasurer Burleigh on the next day, soliciting a favor for one of his friends, courteously apologizing for having failed to take leave of his lordship, and adding that he hoped soon to see him at Court.[2] On the twenty-eighth of the month he proceeded twenty-six miles farther,

[1] Strype's Annals, VI. 124. [2] Ibid., 123, 124.

and the next day, after a ride of ten miles, arrived at Cornbury Park, near the royal villa at Woodstock. He was gloomy and somewhat testy, for which he accounted to his Countess by cursing those who had thwarted him at Court. In this mood he had no relish for anything but the pleasures of the table, and, with every delicacy before him, which the most obsequious caterers could provide, he gave himself up to indulgence. His Countess left him over his wines, and retired to her apartment. Here she pondered long and gloomily upon the prospect before her, revolving a thousand schemes to baffle the suspected purpose of her lord.

With a mind so engrossed, time sped fast. But at length, recurring to things present, she began to wonder that she had not been summoned to resume her journey. Soon after, through one of her ladies, she received a different summons. The Earl had been suddenly seized with illness, and required her presence. With the alacrity of a devoted wife she was immediately at his bedside, where she found him prostrated by acute distress. William Haynes, formerly his lordship's page, but now a gentleman of his bedchamber, was in attendance. She was received cordially, and entered at once upon many little offices of kindness which might minister to his relief. The Earl was suffering merely from over-indulgence, a susceptibility to its influence having been superinduced by the mental disturbances which we have mentioned and by the harassments incident to a camp life. His medicines were administered to him by his chamberlain, but he found little or no relief. Days passed and his sickness continued. In the

mean time his Countess was assiduous in her attentions when within his chamber, and in deep, gloomy, desperate conference with herself when alone. The fourth day of September arrived without relief to the Earl. On that day he received a cordial from her own hands and in presence of Haynes, — for her affectionate ways had won her lord's confidence. But in a few hours afterwards, Robert, Earl of Leicester, was numbered with the dead.[1] That last potion was a deadly one — "deliberated and resolved upon to despatch the Earl," by Blount and the Countess. She had long sought an opportunity, but until now she had not found it.[2]

We are not *distinctly* sustained in this narrative of Leicester's death by any accredited historian. Yet we have given it, and with confidence, for reasons which we submit.

We cannot admit the usual statements, that "his disease was occasioned by cold rheums";[3] that "he died of a fever caught on his way to Kenilworth;"[4] and that "he died of a continual fever";[5] for, on his way to Cornbury Park he was "*very well*," and the letter which he wrote from Maidenhead sufficiently indicates this. "His death was *sudden*";[6] a fact which precludes the idea of a fever.

The unknown writer from whom we have taken our account of Leicester's jealousy and death gives his authority, *to wit*, "Mr. William Haynes, who pro-

[1] Camden, 419. Stow, 750. Rapin, II. 137. Strype's Annals, VI. 123. Murdin, 746.

[2] Wood's Athenæ, II. 74, 75, note. Campbell's "Lives of the Chancellors," II. 146.

[3] Strype's Annals, VI. 123.

[4] Carte, III. 629. Wright, II. 393, note.

[5] Camden, 419.

[6] Strype's Annals, VI. 124.

tested he saw the Countess give that fatal cup to the Earl which was his last draught, and an end of his plot against her, and of his journey, and of himself." A person penning a malicious libel, involving matters of fact, will rarely if ever venture upon particulars; much less will he venture to give names of eye-witnesses.[1]

The writer's account is corroborated, to a degree, by the singular fact of the marriage of Sir Christopher Blount and Leicester's widow in less than a year after the Earl's decease.[2]

Another corroborating fact. Men doubted *at the time* whether the Earl was the victim of natural disease. So grave were these doubts, that even the Privy Council made the affair a matter of special inquest. Such an examination — although it pointed not to poison but to magic — presupposed the death to have been caused by criminal means. Had it been clearly the result of fever, — the Earl was visited briefly by one of the queen's physicians,[3] — there would have been no such suspicions and no inquest.[4]

[1] Prefixed to one edition of "Leicester's Commonwealth" was a poem entitled "Leicester's Ghost." To a manuscript copy of this poem was a supplement. This supplement was by the writer whose account of the Earl's death I have adopted; and, if I mistake not, it contained the account itself. Sir Robert Naunton is the only reliable writer with whom I meet who intimates that Leicester was poisoned. Naunton's language is guarded; because when he wrote the Countess Lettice was still living. He only says, that Leicester died at Cornbury, "as it is *suggested*, by that poison which he had prepared for others, wherein they report him a fair artist." (The Phenix, I. 193.) In the very caution of this language I think there is much significance. Sir Robert's real opinion seems to be indicated.

[2] Birch, I. 55, 56; Francis Allen to Anthony Bacon, Aug. 17, 1589. Ibid., 74.

[3] Strype's Annals, VI. 615.

[4] Ibid., 124, 125; and Appendix, Book II. No. LXXII.

"In his life he greatly advanced the glory of G[illegible]. His death is a great loss to the whole land, lamented by the best sort,"[1] — are the only good words for Leicester, penned after his death, which we have found. In such words from one peer to another, we recognize only the cant dialect of the Court. They prove nothing, they mean nothing, having no more value than the good words of a funeral oration or a newspaper obituary. The tree is known by its fruits. Leicester had the queen's favor; the power of office, patronage, and wealth; the means of advancing or blasting others at his will. London was swayed by his creatures. The Tower was in his hands. He was a patron of learning and of the clergy;[2] "free and bountiful to soldiers and students; a most accomplished courtier"; winning in his ways towards those whom he chose to win; and stealthily but surely undermining those whom he chose to ruin.[3] Such a man would surely be commended by those who spake of him openly. Yet, in his own day, *most* people spake ill of him when they uttered their thought in private; and the only abatement which could be made of the libels against him was, that they were "not without mixture of *some* untruths."[4] On our pages, we have not only laid at his door misdeeds which indicate a heart void of principle, abandoned to courtly vice, and unscrupulous of crime, but we think we have given sufficient evidence to sustain our words, and to substantiate the most prominent charges made by his contemporaries. That Elizabeth so long and

[1] Lord North to Lord Burleigh, Sept. 9, 1588; Wright, II. 393.
[2] Lloyd, 519–521.
[3] Camden, 419.
[4] Ibid., 419, 420.

with such constancy should have conferred such distinction upon such a man, only shows that she was one of the thousands of princes from whom infamous behavior has been concealed; or who have cared not for it, when captivated by a fair exterior and blinded by their own partialities. "The extraordinary share of her Majesty's favor which he enjoyed from the beginning of her reign till his death, ... was less owing to the qualities of his mind, than to the advantages of his person and address; for he was the most obnoxious in his private character of all who were employed by her, and suspected *on good grounds* of the most shocking crimes, which he affected to conceal under high pretensions to piety."[1]

We have already given trifling specimens of his "religious style or phrase";[2] but we take the liberty to quote two remarkable letters of his, "fuller of the strains of devotion."[3] We do this, not only to give material for a more complete portrait of the man, but also to illustrate that fair religious discourse *can* come from the pen of a knave or a profligate, and therefore is no proof of godliness. This truth has an important bearing upon subsequent history.

By the Countess Lettice the Earl had one son, Robert, Baron of Denbigh, who died at Wanstead in July, 1584.[4] Hatton wrote a letter of condolence,[5] to which Leicester sent the following reply.

"Mr. Vice-Chamberlain, I do most heartily thank you for your careful and most godly advice at this time. . . . . I must confess I have received many

[1] Birch, I. 6.
[2] *Ante*, Vol. I. 256, 263.
[3] Naunton; in the Phœnix, I. 193.
[4] Sidney State Papers, I. 69.
[5] Life of Hatton, p. 381.

afflictions within these few years, but not a greater next to her Majesty's displeasure; and, if it pleased God, I would the sacrifice of this poor innocent might satisfy; I mean not towards God, (for all are sinful and most wretched in his sight, and therefore he sent a most innocent lamb to help us all who are faithful,) but for the world. The afflictions I have suffered may satisfy such as are offended, at least appease their hard conceits. If not, yet I know there is a blessing for such as suffer; and so is there for those that be merciful. Princes (who feel not the heavy estate of the poor afflicted that only are to receive relief from themselves) seldom do pity according to the true rules of charity; and therefore men fly to the mighty hand of God in time of distress for comfort; for we are sure that, though He doth chastise, yet He forsaketh not, neither will He see them unrewarded with the highest blessing. I beseech the same God to grant me patience in all these worldly things, and to forgive me the negligences of my former time, that have not been more careful to please Him, but have run the race of the world. In the same sort I commend you, and pray for His grace for you as for myself..... 23d July, 1584. Your poor but assured friend, Rob't Leicester."[1]

The other letter explains itself.

"My good Lord,..... Here was brought the sorrowful news of the death of my Lord Talbot, your son; a matter which I know in nature and affection must greatly trouble your lordship..... Nevertheless, my lord, I trust the Lord hath so well instructed

[1] Life of Hatton, pp. 382, 383.

you with his Holy Spirit, that ye will submit both the wisdom and the affections of flesh and blood to his divine and blessed providence, which, my lord, both you and all men living must wholly acknowledge to be the most Christian and dutiful way; for to grudge at his will, or to repine at his good pleasure, what is it but plainly to fight and rebel against his power and ordinance. The Lord hath blessed you many ways in this world, and not the least with the blessing of children for your posterity. He that hath sent you many might have given you fewer; and he that took away this, might also take away all the rest. Be thankful to him for all his doings, my good lord, and take all in that piety you ought. Be you wholly his; and seek his kingdom, for it passeth all worldly kingdoms; for by him all flesh doth stand and fall, and blessed are they that stand in him. I trust, as he has taken this one from you, so will he leave your lordship much and great comfort in the rest, who are many; and the rather, if they and you faithfully and sincerely join together to honor, love, and serve his Majesty, according to his blessed will and commandment. And thus, my good lord, being sorry to have this occasion to write to you at this time, yet whatsoever please God to exercise you withal, I cannot but show that love I owe you, which, above all things, is to put ye in mind of the true obedience ye owe to the Lord your God, to whose blessed protection I commit your lordship. This fifth of September. Your lordship's assured loving kinsman, R. Leicester. . . . . To my very good lord and cousin, the Earl of Shrewsbury, etc., with speed."[1]

[1] Lodge, II. 285, 286.

There is enough of "religious phrase" in these letters. But we look in vain for that Christlike sympathy and consolation in the latter, or for those breathings of a smitten but filial spirit in the former, which mark true piety. *These* cannot be aped. They are alike unknown and unutterable by him who only assumes religion for purposes of conventional propriety.

CHAPTER VI.

THE WANDERING FREE PRESS.

John Penry's Arrival at Northampton. — His "Supplication to the Parliament." — His Examination and Imprisonment. — An Old Man's Argument against the Celibacy of the Clergy. — Its Welcome and Success. — Prophetic Dreams. — A Christian Maiden's Love. — Penry's early History. — Fawsley Manor. — The Prelates annoyed by Puritan Books. — Robert Waldegrave and his secret Press. — His Persecutions. — The Seizure and Destruction of his Press. — Another Press established. — Previous Troubles of Mr. John Wigginton. — The Commotion excited by the Issues of the new Press. — A domiciliary Visit by Night. — Mr. Wigginton again arrested. — His Examination. — Committed to Prison. — Migrations and Operations of the Press. — Penry suspected, and his Study sacked. — His Indignation, and his "Appellation to Parliament." — Order for his Arrest. — His Retreat to Scotland. — The English Guillotine.

1587–1589.

On the north bank of the river Nen or Nene, and near its source, rises an eminence occupied by the ancient town of Northampton, the capital of a shire to which it gives name. Years before the time of our narrative, and perhaps then, this elevation was surmounted by a "formidable castle" of considerable strength, and the older part of the town had been enclosed by substantial walls. Of the castle and the walls only the ruins now remain.

Near the site of the castle, and commanding a view of the little Nen and of the green fields and forests beyond it, stood the dwelling of Mr. Godley, a thrifty but unpretending burgher, — a good speci-

men in person and character of the sturdy, honest, high-minded Englishman.

In the evening twilight of an April day, in the year 1587, the worthy man sat in his quiet parlor, with his maiden daughter and a young man whose dusty dress indicated that he had just closed a day's journey. They seemed very happy, and there was something in their looks which showed that they were also happy in recognizing their meeting as a special favor from Heaven. The traveller, who wore a University garb, was about twenty-seven years of age. When silent, his countenance betokened great firmness of character; when speaking, energy and boldness. The strong points of Helen's character were less obvious. Yet, in a quiet way, her conversation and countenance disclosed that she could pursue a purpose without halting or looking back, and that she would not flinch under any suffering or self-denial which the purpose might entail.

"All that we have known," said she, "is that you were sent to one of those horrid prisons in London."

"*My* heart did greatly misgive me," said Mr. Godley, "so weak be my faith. Albeit Helen, the child, hath shamed me, believing all the while that her God would be your God and deliver you."

The young man looked at her with an approving smile, and replied, "I do not wonder, for I know her faith be strong. Yet mayhap *such* faith must some day give way to another kind. Sometimes the Lord seeth fit to deliver his people from the furnace; sometimes to let them consume."

"A truce with homilies!" exclaimed Mr. Godley impatiently, and somewhat tartly. "We want your

story, my son." There was no relationship between the two; but the elder had a paternal feeling toward the younger which he would indulge in words.

"My tale is short. You know how my heart is pained for my poor countrymen of Cambria, thousands of whom have never heard of Jesus Christ.[1] You know, too, that I have myself labored to sow the blessed seed of the Gospel in those barren mountains. But I could not rest satisfied without calling for other laborers. Therefore I resolved upon an humble supplication to be exhibited to her gracious Majesty and the High Court of Parliament,[2] that the Gospel of Christ might be made known and published among the inhabitants of Wales. To show the equity of this petition, I wrote a treatise,[3] wherein I did set forth so much of the estate of our people as without offence could be made known, to the end (if it had pleased God) that they might be pitied by them who were not of the Parliament, and so they also be drawn to labor on our behalf. The treatise was allowed to be printed by public authority,[4]

[1] By the Act 5 Eliz. Cap. XXVIII. it was ordered that "the whole Bible and also the Book of Common Prayer and Administration of the Sacraments should be translated into the Welsh tongue and printed; and that the whole divine service thus translated should be used by the curates throughout all the dioceses where that tongue was commonly spoken or used." But this Act had not been carried into effect; the translation having been made only in part. In many parts of Wales preaching was unknown. In some places a sermon was read once in three months. Elsewhere the service was read by "unpreaching ministers ignorant of the native language and altogether unacquainted with the truths of the Gospel." (Waddington's Life of Penry, pp. 9, 12, 13, and note.)

[2] This was during the recess of Parliament from Feb. 15th to March 23d, 1586–7. (D'Ewes, 407, 418.) "The twenty-ninth year of her Majesty's reign." (Strype's Annals, VI. 150.)

[3] Strype's Whitgift, 410.

[4] Strype's Annals, VI. 150.

and was printed at Oxford. About the beginning of Lent[1] I caused a supplication to be presented to Parliament by one of mine own countrymen, himself a worshipful member of the Commons House, to which the Parliament showed no disliking, though they sinned in the careless respect they had thereto.[2] The Archbishop of Canterbury and his associates of the High Commission were offended, despatched their warrants and officers, seized five hundred of the books, and sent me to prison."[3]

"To prison because somebody else presented a petition!" exclaimed Mr. Godley. "I did not suppose that to petition Parliament was disallowed. An it were, methinks the member should have been proceeded withal; not you."

"Ay, ay; but the petition was of my framing, as well as the book."

"Is it then thought wicked by the reverend fathers of the Church to argue for the better preaching of the Gospel?" inquired Helen.

"I did print, and offer to prove, that our unpreaching ministers and non-resident ministers[4] and the callings of our lord-bishops, archdeacons, and so forth, were intolerable toward the Lord. I did say, withal, that the Convocation House were not intent upon determining matters of religion according to God's Word without partiality, that their decrees were to the ratifying of corruptions and to the continuance of ungodly callings within these dominions, that their

[1] Martin Mar-prelate's "Epistle," p. 38. Strype's Whitgift, 306.

[2] Strype's Annals, VI. 148, 150. Waddington's Life of Penry, pp. 10, 15, London, 1854.

[3] Strype's Annals, VI. 151.

[4] Waddington's Penry, p. 12. Strype's Whitgift, 306.

endeavors were how to prevent Christ from bearing rule in the Church by his own laws, and that it was well known that all of them had banded together to maintain the corruptions of our Church.[1] The plain truths about the government of the Church established had moved the Commissioners, and especially the Archbishop, against me.[2] Had my statements been untruths, they would hardly have been disturbed. Touching the better preaching of the Gospel, Helen, I do not think the bishops wish it."

"I think that you were overmuch bold, John, and that you might have given the truth in words less blunt and harsh. I do not marvel that his Grace was moved."

"It be not my way, Helen, to speak softly against a great wrong. But what I said in print, I did not fear to say to his Grace himself by word of mouth."

"Did that dark, cruel man haul thee to his judgment-seat?"

"Twelve days my keeper had me in charge to hold me in safety at his utmost peril.[3] A close ward and a few chains," showing a slight red streak upon his wrists, "were sufficient."

Helen shuddered, while the old man knit his brows and muttered, "Well, twelve days; and what then?"

"Then before the High Court of Commission. They thought it intolerable that an enterprise for the evangelization of the Principality should be projected by an obscure student. The Archbishop eased his stomach by calling me a lewd boy, a knave, a varlet, a factious slanderer of her Majesty's

[1] Strype's Annals, VI. 148, 149. [2] Ibid., 150. [3] Ibid., 151

government, and a publisher of flat treason and heresy. I was also threatened very bloodily, and reviled that I durst solicit Parliament. By and by a point of my book began to be examined wherein I had stated that non-residents were intolerable; and another, in which I had said that such of the clergy as did not or could not preach, but did only read the Bible and homilies, were no ministers. The Bishop of London asked what I could say against non-residents. To which I did say that they were odious in the sight of God and man, because, as much as in them lieth, they bereave the people on whom they thrust themselves of the ordinary means of salvation, which is the Word preached. His lordship did then demand whether preaching was the only means of salvation. I did answer, that it is the only *ordinary* means, although the Lord is not so tied to it but that he can extraordinarily use other means, which I did confirm unto him by sundry Scriptures. The point had been canvassed a long time, when the Bishop of Winchester — Dr. Cooper — said, 'My lords, this is not far from heresy.'[1] 'A heresy!' said I. 'I thank

[1] I use Dr. Cooper's milder report of his words, as given in his "Admonition." The language of Martin Mar-prelate (whom I have yet to introduce) is, "His Worship of Winchester rose up, and mildly, after his manner, brast forth into these words: 'I assure you, my lords, it is an execrable heresy'"; — a representation which Mr. Strype, as I shall show in the next chapter, erroneously attributes to Penry himself. I give the Bishop of Winchester the benefit of his own account. "Of like truth it is that he burdeneth the Bishop of Winchester to affirm 'that it was heresy to say the preaching of the Word was the only ordinary way to salvation'; which he never thought or spake, either then or at any other time of his life. But in handling of that controversy, Penry spake things so strangely and obscurely, that he seemed to attribute that effect to the preaching of the Word only,

God that I ever knew that heresy! It is such a heresy that I will, by the grace of God, sooner lose my life than leave it.' 'What, sir!' quoth Winchester: 'I tell thee it is a heresy, and thou shalt recant it as a heresy!' 'Nay,' quoth I, 'never so long as I live, God willing.' 'The heathenish untruth,' said the Archbishop, 'is rather to be pitied than answered. If man punish not such sycophants, God will. The world is full of them that can talk; but they speak the things they know not, and teach the things they have not learned.'[1] After more talk

and not otherwise used by reading. And being urged with that question, by occasion of reading the Scriptures in churches, his answer was such as he evidently showed himself to mean, that that effect of salvation could not be wrought by hearing the Word of God read; with some other words giving suspicion of worse matter. And then, indeed, the bishop rose not out of his place (as these honest men do carp), nor spake in such choleric manner as they pretend; but quietly said, 'My lords, this is not far from heresy.'" (Cooper's "Admonition," 59.)

[1] Strype's Whitgift, 306; Annals, VI. 94, 95. Martin's "Epistle," 38, 39. Brook II. 49.

In his tract "Hay any Work for Cooper," Martin thus denies the bishop's version, as given in the previous note: "I will stand to it, that his Grace accounteth the preaching of the Word being the only ordinary means of salvation to be an heresy, and doth mortally persecute the same." (p. 69.)

The prelates seem to have been peculiarly sensitive about the *preaching*, in distinction from the *reading*, of God's Word. They might well be so; inasmuch as the arrangements of the Church were then such as to suppress that peculiar means of grace, ordained by Christ, of presenting the truths of his Gospel by the living speaker.

In this connection, I cannot refrain from quoting the following passage from Mr. Maskell's "History of the Martin Mar-prelate Controversy." "If there is one thing more than another which has ever distinguished, from its beginning up to the present time," — A. D. 1845, — "the puritanical party either in or out of the Church, it is the unduly exalting of the office and benefits of preaching. Preaching is, without doubt, one of the appointed means by which God saves men. . . . . But not content with giving to it its proper and reasonable honor, the Puritans lowered the *mysterious efficacy* of the sacraments, and made preaching the only ordinary means by which men might be saved. It was natural that they should do so. They, teachers and

of this sort I was remanded to prison, where I had the entertainment of a month. I was then liberated without other examination.[1] I suppose there was some hinderance to my further prosecution, because my treatise chanced to be published by authority."

The conversation upon this topic was prolonged and animated. But we relate only what concerns our historical purpose. At last Mr. Godley relieved his mind by the following practical homily.

"Go to, now, my son! Listen to an old man's advice. Half the men who fall into trouble get there because they travel without wives, and the other half, depend upon it, are they who have wives but do not heed them. Ay, ay! laugh an it suit

disciples together, were men who could not bear so great a burden as would be faith in the promises of God, without understanding, in some degree at least, how and why the observance of certain means should produce certain effects. They could comprehend easily, that men might be influenced by reasoning, by eloquence, by constant admonitions from the pulpit; but they could not understand *how water should wash away sin;* how the *grace given in confirmation* should both strengthen and subdue; how the blessing of *the Church is indispensable* to the future well-being of the newly married, and to the establishing them in a religious observance of their new duties; how, more than all, the partaking of the consecrated elements, the eating of the flesh of Christ and the drinking of his blood, could be *necessary* to the continuance of a Christian life on earth, to the actual enjoyment of, and a capability for, an endless life hereafter." (pp. 157, 158.)

No man could say more on this point in honor of the Puritans. In the fullest sense, they were Protestants. They *protested* against any other rule of faith and practice than God's own. In this they found the *preaching* of the Gospel of Christ "exalted"; but found nothing about "a mysterious efficacy of the sacraments"; nothing about "the washing away of sin by *water*"; nothing about "the blessing of the *Church* as essential to a happy married life"; nothing about "the grace given in confirmation"; nothing about "a *capability* of eternal life *conferred* by the Lord's Supper." *Therefore*, they rejected these doctrines. Had they found them *there*, we think they could have borne the burden of so great faith. Compare *ante*, Vol. I. 531.

[1] Strype's Annals, VI. 151.

thee. But to my thinking — and I have had experience in this matter which thou hast not, John — to my thinking, a bachelor is a half-fledged bird. Unmarried, a man is but half a man. Yet I revere the hallowed love of some who remain solitary in respect of the memory of betrothed ones in their graves. Troth! I might myself have been in limbo to this day, besides being hung half a dozen times, had I not had a wife to keep me on my balance. Tush! don't think me a prating fool! It be not fit — with all the grace of God, which be none too much, which I think thou hast — it be not fit for you, my son, to meet the rough-and-tumble of life and its pitfalls which be before thee in these times of trouble, sith thou hast not that *other* grace of God — a wife. With Helen here, only thy betrothed, thou must go neck and heels into peril for the sake of doing good, for the sake of setting all Wales to rights by one blast of your horn. But with Helen here as thy wife, thou'dst never have done so. Nor art fit, with all thy Cambridge and Oxford learning, nor with all thy fire of eloquence, nor with all that trifle thou hast of the grace of God to boot, — I mean fully fit and harnessed, — for the office of the Christian ministry. How can a bachelor speak Bible truth fittingly to the inner wants of husbands and wives, through all the ups and downs of life? to the wordless sorrows of widowers and widows? How can a bachelor talk Gospel so as to touch the hearts of fathers and mothers and children? Nay, I marvel an it be possible for a wifeless and fatherless heart — the fountains of its domestic nature locked up and unsprung — to have those yearnings, those living,

nervous sympathies toward the flock of Christ — through means of which they become, as it were, his flesh and his bones — which be part and parcel of the complete minister and pastor, and which have no parallel but in the holy experience of a husband and a father. God may use such a man as an apprentice or a journeyman on the spiritual building, but not as a master-workman. St. Paul! Tut! He never could have got along but for *special inspiration*, and thorns in the flesh, and messengers of Satan to buffet him. It took a deal *extra* to make *him* fit for the ministry. This be an anti-papistical speech. Do you loathe papistry? Then do I commend the application of my homely discourse to younger lips. But my prayer is, that John Ap Henry, as a man of God, may be perfect, thoroughly furnished unto every good work." So saying, the old man, embracing his blushing daughter, abruptly left the room.

"How thinkest thou of the homily, Helen? Wilt make the application?"

"I cannot gainsay it, John. And methinks an I should, it would avail little with thee. Touching the application, it be plain; and thou knowest I am ready to make it. I be not coy or prudish, John; nor be I afraid or unwilling to become thy wife, that I may cheer thy way an I can, and share thy lot betide what may. I think thee a right hearty lover, and a man of mould, and a true Christian, else I never could have given thee my young heart and maiden vow. Yet methinks my father may not be wrong in saying thou wilt not be less complete as a minister of Christ when thou art a husband."

"A blessing on thee, Helen, for thine outspoken

thoughts! He *is* right. I have had tokens of it. They say that love before marriage is but a rill; after, a strong, gushing stream. My heart hath been warmer and my speech readier even in the pulpit — where I never think of thee — than before I knew thee and loved. It standeth not to reason, therefore, that when I love larger and better, being thine husband, I shall not love larger and better the hearers of the Word, and a more fervent love as a preacher shall surely give me truer skill and power. Thou dost not gainsay thy father, Helen; nor do I. For thine own sake, for my sake, for my work's sake, thou wilt share my lot? It will be hard. Thou knowest how I dislike the popish prelatical orders,[1] and how this may work my trouble."

"In troth do I, right well. Thy dislike will expose thee again to the terrible Court of High Commission."

"Of a surety, for woe is me if I preach not the Gospel; and I am determined never to take orders in the Church of England, or in the Church of Scotland, or in any other State Church.[2] Therefore, when I preach the Gospel, I shall preach at my peril."

"Amen! I accept thy lot. We will go hand in hand through whatever is appointed us. It will be no flowery road. Dost believe in dreams, John?"

"In dreams!"

"Yes, in dreams. I have had dreams — to make me shudder when awake — that thou and I were walking together barefooted in a tempest; on a road bristling all over with thorns and nails and broken

[1] Hanbury, I. 87. [2] Ibid.

glass, and glowing with coals, and alive with serpents. And we were bleeding and bleeding, weeping and weeping, at every step. Yet somehow we were singing. The air seemed full of sweet music. We seemed to be catching and repeating the songs which were floating around us as though cherubim were hovering there. So that we were very cheerful, maugre our suffering. Then it has always seemed to me, in these dreams, as though we had gone but a little way together, when thou wast snatched from me, and I was left alone — except the angels. And there I always wake."

"A strange sort of a dream, of a truth! Always the same? and often?"

"Always the same, and often. Now I think it be a kind of warning of what is to come, so that it take us not too suddenly. I believe it be a forecast shadow, or a reflection, of a reality."

"Yet wilt be my wife?"

"Will be? Why not?" and the maiden looked up in amazement.

"Believing thou wilt be partner in such things when thou mayest avoid them, being alone?"

"Now dost thou speak foolishly, John; for thou dost forget the angels of my dream. Shall we not have strength according to our day? As the sufferings of Christ abound in us, so our consolation also aboundeth by Christ.[1] Is it not always so with those who trust his love? Thou dost also speak foolishly, not knowing a maiden's love. Wert thou in a thorny lane, and I on the other hedge-side on a green meadow decked with flowers and fragrant, I

[1] 1 Cor. i. 5.

would fain have thee with me. But an thou wert doomed to walk there, where should I be most miserable? by thy side, or on the soft, pleasant turf? O John! an I could not be with thee there, my heart would break! Nay, an it be man's right and pride to protect, is it not woman's home beneath his arm and next his heart? Is it not woman's glory and the wife's prerogative to tread the wine-press with him? Ay, John, John! thy scholarship cannot interpret the mystery of woman! Thy line cannot fathom her love! How can they, being only a man's?"

"I believe! I believe!" exclaimed Ap Henry, his eyes brimming and beaming with joy. "Teach me, and I will learn, Helen; but reproach me not."

"Nay, I reproach thee not. Thou seest not, partly because thou art only a man, and partly because I am yet but an ungrafted scion. When I *am* grafted, my love will bud and blossom. Thou wilt know it better, then. The betrothed is but the symbol of the wife."

"Sayest so? Then will thy husband be rich, for if such be the betrothed, what must the wife be?"

It is almost superfluous to say, that an attachment so pure and ripe was soon perfected and sealed by marriage. The young husband, who had made Northampton his home for nearly a year,[1] now provided a dwelling for himself and his bride in the immediate neighborhood of her father.[2]

John ap Henry, or John Penry, was born in Brecknockshire, in Wales, A. D. 1559. He entered Peterhouse — the oldest College in Cambridge — in the

[1] Brook, II. 48. [2] Waddington's Penry, 21.

year 1577, being then eighteen years of age. At that time he was "as arrant a Papist as ever came out of Wales, and he would have run a false gallop over his beads with any man in England, and help the priest sometimes" — as he did — "to say mass at midnight." But there was a Puritan influence in the University, though suppressed. The young student, hitherto "totally unacquainted with the Scriptures, and fascinated by the symbols and services of the Church of Rome," had been attracted by the pure life of certain Puritan ministers there, for the cause of which he wondered. Thus he had been led to examine their religious doctrine and their ethics. Once introduced to their circles, he had soon come to an apprehension and appreciation of the truth as it is in Jesus, had renounced his reliance upon ceremonial observances and departed saints, and had reposed himself wholly, for acceptance with God, upon the gratuitous offering of Christ, the sacrificial Lamb. John Udal, Henry Barrow, and John Greenwood — of whom we have much to say by and by — had been his fellow-collegians and intimate friends. In the year 1583, after taking the degree of Bachelor of Arts, he had removed to Oxford, where greater liberty of conscience was allowed. There he took his second degree in the year 1586, on the eleventh day of July. He had been esteemed in both Universities, where he was accounted "a tolerable scholar, an edifying preacher, and a good man." It has been charged that he was an Anabaptist, — a charge often brought, and we fear wantonly, against all who disliked the constitution of the Established Church. There is some reason

to suppose that he discarded infant baptism,[1] but that he sympathized with the Anabaptists of Germany is untrue. He publicly denied it,[2] and he was not a man to deny any opinion which he held, or any deed he had done. He had not received ordination, though it had been offered to him, but "contented himself with the ordinary license of University preacher."[3]

In the immediate neighborhood of Northampton was the manor of Fawsley, — "a fine Tudor seat," — the residence of Sir Richard Knightley, deputy lieutenant of the county.[4] It had been in possession of his family for many generations. The principal part of the mansion was a venerable pile, constructed after the fashion which had prevailed more than a hundred years before. A part of it was modern. From either side of it sloped a beautiful close-shorn lawn, relieved here and there by shrubbery and sturdy old oaks, beyond which, and all around, the extensive park was freely mantled with a noble growth of wood. Two beautiful sheets of water, visible from the manor-house, completed the natural beauty of the landscape. The entire manor was a specimen of the peculiar scenery — comprising noble elevations of ground, extensive forests, and flowing waters — for which the whole shire is remarkable. A grave yet animated meeting of Puritans, clergymen and laymen, was in progress at this pleasant English home, soon after John Penry had been

[1] Brook, II. 67, 68.

[2] Hanbury, I. 72, note; extract from Penry's "Appellation."

[3] Wood's Athenæ, Article *Penry*. Brook, II. 48. Waddington's Penry, 3 – 8.

[4] Hargrave, VII. 29.

solemnly "pronounced a man." Sir Richard, like many others of family and estate throughout the kingdom, had adopted the principles of the Puritans, and felt a warm interest in their embarrassments and plans. The meeting was at his instance, and its object was "to consult as to the best course of action under the difficulties that accumulated upon them every day."[1]

We have before stated, that under the administration of Archbishop Parker the Puritans had employed the press "with so much confidence and sharpness" as greatly to disturb his Grace; and that, at the instigation of the Ecclesiastical Commissioners, the Privy Council had issued a decree prohibiting such publications under severe penalties.[2] This had placed the Puritans in a new dilemma; either to abandon the grand palladium of free speech, or to sustain it at the risk of such punishments as an arbitrary court might inflict. They had accepted the peril, and had entered at once upon a contest with despotism for another and an invaluable right, — *The Freedom of the Press.* It was the first struggle of the kind, we think, ever witnessed on British soil. It was another step *towards* civil liberty. They had issued new pamphlets at their pleasure, and scattered them abroad, "both in city and country," so that after the Archbishop had hunted for their secret press for six years in vain, he had exclaimed, irritated and chagrined, "The Puritans slander us with books and libels, lying they care not how deep; and yet the more they write, *the*

[1] Waddington's Penry, 22.

[2] *Ante*, Vol. I. 303, 304.

more are they applauded and comforted."[1] They had also persisted, notwithstanding other "decrees and ordinances . . . . . for the repressing . . . . . abuses . . . . . by persons professing the art or mystery of printing."[2] Their books had "nothing abated, but had rather more and more increased;"[3] "*whereby* many men had become prejudiced against conformity and a peaceable compliance with the Church's orders, and their minds blown up with discontents and doubts about the usages and practices of the Church."[4] So obvious was it that the influence of these publications was great and increasing, and that thereby Puritanism was on the advance, that in 1585 still severer measures had been decreed in the Star-Chamber for their suppression.[5] But neither had these availed. From some press or presses, to the Commissioners unknown, Puritan opinions had been persistently dispersed. In defiance of decrees, the popular aversion to the hierarchy had been liberally fostered.

For a few years, at least, the chief if not the only man who dared to print the books "which touched the bishop's mitres" — of which there had been "never a book that contained either treason or impiety" — was Robert Waldegrave, who had a press which he secretly wrought at Kingston in Surrey. It had long been suspected by the jealous watchmen of the Commissioners, that it was he who "printed the Puritans' books";[6] so much so, that no sooner did any such book make its

[1] Strype's Parker, 388, 389.
[2] Strype's Whitgift, 222.
[3] Ibid.
[4] Ibid.
[5] *Ante*, p. 23.
[6] Strype's Whitgift, 302.

appearance than the pursuivants scoured city and country to find Waldegrave.[1] He was a person specially disliked by the Archbishop, who would listen to almost any suit rather than to one in his behalf. Even the Lord Treasurer could obtain no favor for him at the hands of his Grace.[2] Upon one occasion, a certain man had received a bribe of five pounds to betray him, and for that purpose had led the pursuivants in disguise to the house of a tinker in Kingston. But so great was the disappointment, — for the bird had flown, — that the guide was thrust into prison for having defrauded his employers.[3] Waldegrave had been "so often in prison, that it seemed the prelates made a common occupation thereof."[4] These commitments seem to have been grounded upon mere suspicion. The object seems to have been to extort a disclosure of what he knew by the terrors of imprisonment and the threat of the rack.[5] The rack he had never tasted, but at one time, at least, he received a hundred lashes.[6] Previous to 1588 he had been committed, on suspicion merely, no less than six times; now for a longer, now for a shorter term.[7] His house — apparently when he was in concealment — had been repeatedly rifled by the pursuivants of his Grace and of the Bishop of London, to the great terror of his wife, the only protector of "six small children."[8]

[1] Martin's "Hay any Work for Cooper," 67.

[2] Ibid., 66.

[3] Martin's "Epistle," 54.

[4] "Hay any Work," &c., 65 – 68.

[5] Ibid., 67.

[6] Ibid., 66. I cannot otherwise interpret the words, "So they carried Waldegrave to prison, and in this" — prison — "his Grace was so good unto him as to help him to an hundred marks over the shoulders."

[7] Ibid., 68.

[8] Ibid., 67. Martin's "Epistle," 30.

In 1584 he had printed "The Practice of the Prelates";[1] in 1586, "The Complaint of the Commonalty of England"; [2] at another time, "A Learned Man's Judgment"; and at other times, other like tracts. By some means the Commissioners had gathered sufficient evidence of these his offences to warrant his prosecution under the decree of 1585. Upon conviction he had been sent to the White Lion for the term of six months designated in the fourth section of the decree.[3] At the same time, his press, tools, and type had been utterly destroyed, although his craft-brethren, in pity to his dependent family, and to save them from absolute penury, had offered to purchase the whole at a fair value. He was also "disabled to use or exercise the art or feat of imprinting."[4] Once convicted of offences so rank in the eyes of the Commissioners, he had felt himself even more insecure than before from personal outrage. Thus, after his release, he had found it

[1] *Ante*, Vol. II. 448.

[2] For the date of this print, see a list of the Tracts composing the "Parte of a Register"; Maskell's "History of the Martin Mar-prelate Controversy," 26, note (London, 1845). Dr. Bancroft, however, says that "The Complaint" was presented to Parliament in 1585. (Hicks, 262.)

[3] Hay any Work for Cooper, 68; where twenty weeks is stated as the time. But I cannot think that a person so extremely obnoxious to the bishops would have suffered less than the prescribed penalty.

[4] Martin's "Epistle," 30; compared with the Decree, in Strype's Whitgift, Appendix, p. 95.

There is an utter lack of dates in Martin's statements here about Waldegrave; nor can I supply the lack from any other source. I can only determine that the facts must have occurred before the midsummer of 1588; from which time to 1589 Waldegrave's history is known. I have no express authority for connecting the destruction of his press with the (unknown) time of his conviction. I do it only because this was his only conviction which I find recorded, and because the demolition of his property must have followed such conviction as a matter of course.

necessary to forsake his home, to leave his destitute family with Him who heareth the young ravens, and to keep himself in concealment.[1] But, as we shall soon see, his spirit had not been broken.

Thus vigorous had been the struggle between the ecclesiastical government and the Puritan Free Press. With equal vigor, and in a sterner spirit, it was about to be renewed.

By the destruction of Waldegrave's press, the Puritans had been deprived of the means of publication. To arrange for the establishment and management of another press was the object of the meeting at Fawsley.[2] Sir Richard Knightley was "no sectary," and seems to have been satisfied with the *constitution* of the English Church. But he was interested in the cause of Church reform so far as to have the ministry purged of unlearned and "bad" men, who held *almost* all the livings in the kingdom. He was therefore willing to associate himself with the few ancient families in the neighborhood who espoused the Puritan cause, and particularly to aid by his protection and purse the new enterprise now projected.[3]

Penry, who was present at this conference, though much disliking the constitution of the Church, and especially its political element and abuses, cared but little about it in comparison with that which absorbed his soul, — the zealous propagation of the Gospel, especially in his own country of Wales. He objected to prelacy indeed, and to the prelates them-

[1] Martin's "Epistle," 30.
[2] Waddington's Penry, 22.
[3] Hargrave, VII. 30. Waddington's Penry, 21.

selves. But to them, not so much because they were prelates, and not so much because, being prelates, they enforced "superstitious and corrupt ceremonies," as because, interposing their factitious authority, they barred, especially in the land of his birth, the progress of revealed truth. It was mainly to arouse the public conscience against this crying sin that he was resolute to operate through a press independent of prelatic control.[1] The great object of the other members of the conclave was to commend the Presbyterian form of Church government, in opposition to the Prelatic.[2]

Notwithstanding some conjectural assertions to the contrary, we find no evidence that any gross methods of attack upon the persons or offices of the hierarchy were contemplated by any who were present.[3]

The result of their deliberations may be briefly stated. It was resolved to set in operation another

[1] Waddington's Penry, 22, 23.

[2] Ibid.

[3] Mr. Field's words, in conversation with Dr. Pearson, in 1572, have been improperly quoted as indicating a purpose to adopt that coarse, virulent, personal satire which soon issued from the press set in operation by this assembly of Puritans. (Maskell, 24.) But the very words of Mr. Field — discreetly *omitted* by Mr. Maskell — show the contrary; for he added, "*God knoweth* we meant to speak against no man's *person*, but their *places* and existing *corruptions*." (*Ante*, Vol. I. 442, 443.)

Even Dr. Waddington (Life of Penry, 23, 24) represents that at this meeting the question *was debated* whether jeering, satirical pens should, or should not, be employed against the persons of the bishops. The language which he quotes is to be found in Fuller's Church History (Book IX. p. 193). It seems to me that Fuller represents the way in which *some* persons justified Martin Mar-prelate *after his books had* appeared. But I think it is *clear*, that so much of what he states on the other side as is quoted by Dr. Waddington, Fuller gives as his *own* opinions; not as those of "the more discreet and devout sort" among the Puritans.

press, and to procure Waldegrave as the master-printer. As it was certain that the most determined search would be made so soon as a new Puritan book should appear, the care and chief management of the press were intrusted to Penry, although — and it is a point of some historic importance — he could neither monopolize its use, nor dictate what it should or should not issue.[1] The press was to be *free*, so far, at least, as it could be without obligating the printer to set up matter against his will.

The ardent young Welshman accepted the trust, and immediately betook himself to his work; procuring a press, and securing the services of Waldegrave. About the middle of July[2] he applied to Sir Richard Knightley to provide shelter for the press, that he might reprint his "Treatise and Supplication to Parliament, that beforetime was printed at Oxford." This Sir Richard "did incline an ear unto, the rather in respect of the want of learning which he knew to be in the ministry."[3] Yet, for some unknown reason, the first reprint of this work was issued elsewhere.

There was in London a widow, — Mrs. Crane, — of whom we know only that she was a high-spirited, courageous woman, who could insist anywhere upon her legal rights, who befriended the Puritans, and entered heart and hand into their new enterprise. She had a country seat at Mouldsey, on the other side of the Thames, a part of which she offered for

[1] Waddington's Penry, 35.

[2] "About James-tide," 1588; Hargrave, VII. 30. For this date of 1588, see below, Chap. VII. p 297, note 2.

[3] Hargrave, VII. 30.

the use of their press; and there it was first set up. Its first issue, under the hand of Waldegrave, was a reprint of Penry's "Treatise and Supplication." This was immediately followed by "An Exhortation unto the Governors and People of her Majesty's Country of Wales, to labor earnestly to have the Gospel planted among them";[1] which also was of Penry's writing. It seems to have been a second edition.[2] It gave great offence to the bishops for the opinion it expressed, that ministers who did not preach were no ministers, and ought to surrender their benefices.[3] Penry was in attendance upon the press from the middle of July about three weeks, during which time he was frequently visited by Mr. John Udal, late minister at the neighboring town of Kingston, and still resident there;[4] and by Mr. Giles Wigginton, late minister at Sedburgh in Yorkshire.[5] These three men knew that they met here at their peril, as was afterwards terribly proved.

Mr. Udal was a graduate of Cambridge, and was esteemed for his talents and learning. He was "a notable preacher of the Gospel, and a vehement reprover of sin."[6] Some of his parishioners, "taking offence at his faithful warnings and admonitions," which came home upon them personally, had entered complaints against him, and had procured his suspension and his commitment to prison. He lay there six months;[7] a fact which verifies our previous statement, that private grudge and personal

[1] Waddington's Penry, 24, 28.
[2] Strype's Whitgift, 295.
[3] Waddington's Penry, 30.
[4] Strype's Annals, VI. 603, 606.
[5] Martin's "Epistle," 33. Waddington's Penry, 24.
[6] Martin's "Epistle," 44.
[7] Brook, II. 1. Neal, I. 190.

pique often availed themselves of the jealousy and hasty severity of those having ecclesiastical power.[1] He had again been convented in September and in October, 1586, and in January, 1586–7. Through the intercession of the Countess of Warwick in each instance, he had been restored to his ministry.[2] But in this year — 1588 — he had been again suspended.[3] Before the close of the year he was deprived of his living, and in January, 1588–9, removed to Newcastle-upon-Tyne.[4] His melancholy history will claim our attention hereafter.

Mr. Wigginton also had taken his degrees in Arts at Cambridge, where he had been introduced under the patronage of Sir Walter Mildmay, "a constant friend to the persecuted nonconformists," and where he had been distinguished for his literary attainments.[5] After taking his degrees, he had continued at the University some years, until presented to the vicarage of Sedburgh. Being in London in 1584, he had been appointed to preach before the judges. But in the middle of the night he was roused from his bed by a pursuivant of Archbishop Whitgift, who, in his lordship's name, forbade him to preach; and, *without warrant*, compelled him to give bonds upon the spot to appear before his Grace the next day. He did so, and was tendered the oath *ex officio*, refused it, and was punished by confinement in the Gate House nine weeks. In 1585, upon information given "by a

[1] "If any parishioner bore an ill-will to his minister, he might inform the Commissioners by letter that the clergyman was a suspected person, upon which a pursuivant, paid ten pence per mile, was sent to cite him, &c. Warner, II. 454.

[2] Brook, II. 1, 3, 7, 9.

[3] Martin's "Epistle," 45.

[4] Hargrave, I. 167. Brook, II. 9.

[5] Brook, I. 418, note.

man of profane character and a suspected Papist," his Grace of Canterbury had directed his Grace of York to proceed against Mr. Wigginton, even to deprivation. Archbishop Sandys obeyed. But, through "the influence of several persons of quality," Mr. Wigginton had been restored.[1] In 1586, happening again in London, he had been again arrested by order of Archbishop Whitgift; had again refused the oath; and had been again committed to prison. "By the Archbishop's strict charge, the keeper of the prison had so *loaded him with irons*, confined him in a close prison, and deprived him of necessary food, that in about five weeks he was nearly dead. At length, his life being in so great danger, he was removed to another prison in London; was again brought to Lambeth, and again suspended from preaching in the Province, because he had refused the oath. When, by extremity of his prison sickness, he found himself compelled to remain longer in the city, and when still so low that his physicians believed him to be upon his death-bed, the Archbishop sent two pursuivants to summon him again to Lambeth. Because he did not appear, being unable to move, his Grace deprived him of his living, and degraded him from the ministry."[2] Upon his recovery, he had returned to Sedburgh, conceiving that he still owed the duties of a pastor to the flock whom he had taken in charge. The pulpit of the church being refused him, he had preached in various places, — particularly in his own house, — and had administered the sacraments. For so doing, at the instigation of Archbishop Whitgift, Arch-

[1] Brook, I. 419, 420. [2] Ibid., 420, 421; Wigginton's Account.

bishop Sandys had issued a precept for his arrest, and in the cold weather of February, 1586–7, as he was on a journey with his family, he was arrested and sent fifty miles to "the noisome prison of Lancaster Castle, though there were better prisons near at hand. There he was confined in a cold room, with felons and condemned prisoners, and in various ways worse used than they or recusant Papists."[1] Thus each year for four successive years his Grace of Canterbury had persistently and terribly punished this Christian scholar *for refusing an illegal oath.* Precisely how long he remained in Lancaster Castle we cannot find. But he was liberated at some time before midsummer of 1588.

About the middle of the month of August it was found expedient to remove the press to Kingston, where Waldegrave printed the "Epistle,"[2] the first of the Martin Mar-prelate Tracts, which we notice in our next chapter. He also printed, at the same place, "The Demonstration of Discipline," a tract which occasioned one of the most remarkable trials under Elizabeth's reign,[3] and probably "The Dialogues of Diotrephes,"[4] another Puritan tract. All these had a wide circulation, and excited the anger and apprehensions of the government, especially of the ecclesiastical department. The queen, through her Council, issued a special order to the Archbishop, that he should, by the Ecclesiastical Commission, or otherwise, use speedy means to apprehend and commit the authors and complices of these offensive tracts.[5]

[1] Brook, I. 421, 422.
[2] Waddington's Penry, 35.
[3] Martin's "Epitome," 4.
[4] Martin's "Epistle," 8. Strype's Annals, VI. 603.
[5] Strype's Whitgift, 289.

This order was dated November 14th, 1588. It was promptly and eagerly obeyed, "four bishops posting over city and country for poor Martin,"[1] for *all* the tracts were attributed to him. During this search, how many persons were arrested on mere suspicion we do not know; but one case, having much the appearance of rancorous persecution, we shall soon notice.

Of course the hunt was up once more for Waldegrave. His wife had long lived under constant and distressing apprehension, and repeatedly, as we have stated, had seen her own humble dwelling ransacked and rifled by pursuivants. But in the middle of a November night of this year she was the victim of a greater violence. While the desolate woman was sleeping a troubled sleep, she was roused by the sound of heavy blows without, immediately succeeded by the crashing of her own door. She had hardly sprung from her couch when she heard the rush of heavy footsteps within, and immediately found her apartment invaded by half a score of men. The mother sprang to her children. The children, woke by the blazing links, the tramp and rude voices of the intruders, clung, screaming with fright, to the mother; while the pursuivants, void of all respect for female delicacy and of pity for a mother's terror, laughed at the distraction which they had occasioned. The words of entreaty and remonstrance, the insulting replies, the exclamations of terror, the coarse jokes, which passed between the affrighted family and these legalized burglars, we will not attempt to describe. It is enough to

[1] Martin's "Epitome," 1.

say, that, while one of the officers kept watch over the crouching mother and her clinging children, the others, chagrined that they had not already found the father, dispersed rapidly but fruitlessly in search of him and rifled the house of all they chose to appropriate. The search and plunder accomplished, with a few more words of insult the ecclesiastical emissaries went their way. Though they had missed of Waldegrave, they made a good booty of his books, which they "sold up and down the streets to watchmen and others."[1] So great was the stir occasioned by Waldegrave's late publications, particularly by "The Epistle to the Terrible Priests," and so close were the searchers upon the scent at Kingston, that the press once more migrated to Mouldsey. But Mrs. Crane now objected. She was sure that it would be discovered there, so many and so watchful were the spies round about. It was evident that its operations must thenceforth be conducted beyond a district so suspected and watched; and Penry, at much cost of trouble and expense, caused the apparatus to be transferred in a common cart to Northampton, a distance of seventy miles. He followed it and avoided arrest; but was obliged to resort to disguise, changing his scholar's dress for that of a fashionable gallant.[2] This occurred, probably, about the first of November.[3]

Mr. Wigginton, less cautious, was less fortunate. In December, soon after the publication of Martin's second tract, he ventured into London. The pursuivants of the Ecclesiastical Commission quickly found

[1] "Hay any Work for Cooper," 67.
[2] Waddington's Penry, 35, 36.
[3] Hargrave, VII. 30; "All-hallowtide."

him, and dragged him from his bed to the Counter prison on *suspicion* of being concerned in the publication of Martin's "Epistle." He was then arraigned at Lambeth, before the High Commissioners.

"There is a book called Martin Mar-prelate," said the Archbishop, "a vile, seditious, and intolerable book, and you are *suspected* of being one of its authors. Therefore you are to swear what you know concerning it."

"You do well to let me know what I have to swear to. But let me know also who are mine accusers; for I do not mean to accuse myself."

"We will take your answers upon your word alone." His Grace had had experience of Mr. Wigginton's firm resistance of the oath. "What say you to these articles following? Have you any of those books? Have you read, or heard any of them read, or any part of them, at any time?"

"I will not answer to accuse myself. Let my accusers stand forth and proceed against me. You have known my mind upon this point many years."

"Have you had any of them? How many? How came you by them? What did you do with them? In whose hands are they? By whose means did you get them?"

"I would rather accuse myself than other persons; but I will accuse neither. Let mine accusers and proper witnesses, according to the laws of God and man, proceed against me."

"Have you bought, sold, dispersed, handled, or any way dealt in any of them? In what sort?"

"I account it as unnatural to accuse myself, as to thrust a knife into my thigh. The matter, I under-

stand, is doubtful and dangerous, therefore I will accuse neither myself nor others. 'In the mouth of two or three witnesses, let every word be established.' Even the heathen judge said, 'I will hear thee when thine *accusers* are come.'"

"Do you know the author, writer or printer? Did you make, or help to make, write, or print it, or any part, or see any part before it was printed?"

"I did neither make, write, nor print it, nor any part of it, nor see any part of it before it was printed."

"Whom do you believe, think, suspect, or conjecture to be the author, writer, or printer of it, or of any part of it, or any way helper towards it? Did you make any oath, or vow, or promise, to conceal the same?"

"What I believe, think, suspect, or conjecture, or have vowed or promised, I am not bound to make known."

"Did you not say to the pursuivant, as you came in the boat, that you had seen the second Martin called the 'Epitome'?"

"Let the pursuivant stand forth and accuse me, if he will."

"We have the queen's authority and commission in our hands," said the Bishop of Winchester.

"While I profess to serve God, all that I do is not the service of God. So while you challenge the queen's authority and commission, all that you do is not the queen's authority and commission."

"The Papists answer altogether like you," said the Archbishop.

"The Papists eat bread, and so do I, and I fear not

to do like them in any good thing. . . . . Love me not the worse for being plain with you."

"No, you are not so plain," retorted Dr. Cosin, "for you do not directly answer."

"Martin himself, I understand, will come forth and defend his matters, if he may have a fair trial."

"Record that, Mr. Hartwell," said the Archbishop.

Dr. Aubery then inquired, "Did you not tell your keeper at the Counter, that he could not find out the author of that book?"

"He is a simple man, and imagines that I am the author"; — a keen thrust at *all* who imagined him to be the author.

"Is Mr. Penry, then, the author of "The Demonstration,' or of 'Martin Mar-prelate'?" asked his Grace.

"I think he is not. I think you are greatly deceived in charging him with it."

"There are many lies in Martin."

"You must confute them, then."

There is much of interest in this examination. We find the Court using the same minute, ensnaring, odious style of examination to discover the author of a book, as they were wont to use to detect clerical delinquencies;[1] resorting to the same "judicial sifting," to the same artful inventions to extort self-conviction, so loathsome to the moral sense and manhood of Lord Burleigh.[2] Nor can we fail to notice, with shame and grief, how the Commissioners — English magistrates and Christian ministers — ignored alike, and without a blush, the common law of the land, Magna Charta itself, and

[1] Compare *ante*, Vol. II. 401 - 404. [2] Ibid., 421, 422.

even the express rules of the Gospel of Christ. But how commendable the attitude and behavior of the friendless examinate, planting himself, through the whole proceeding, upon the Gospel, the common law of justice, and the rights of an English subject! We admire and honor the heroic spirit and unwavering principle of the man — already familiar with cold and hunger and chains and sickness and infamous companionship, *all in prisons* — who would rather brave them all again by refusing the demands of a despotic and pitiless tribunal, than yield his right to trial "according to the laws of God and the realm."

The examination concluded, and the Commissioners having consulted upon the case, his Grace pronounced sentence: "Forasmuch as you have refused to swear and to answer as we have required you, and *so by law have confessed yourself to be guilty* of the accusations against you; and as you have at sundry times, and in divers ways, showed your contempt of our ecclesiastical authority, and of this High Commission . . . . . which you shall obey and yield unto before I *have done* with you, — therefore . . . . . you shall be kept close prisoner in the Gate House until you shall yield in these matters, and when you are so disposed, you may send us word. In the mean time, go your way. Away with him, pursuivant!"[1] It is supposed that Mr. Wigginton continued in prison until the year 1593.

We have not yet fairly introduced this mysterious Martin Mar-prelate, to whom reference has often been made above; but shall soon do so. He well knew

[1] Brook, I. 418 - 426.

what he was saying when, *before* Mr. Wigginton's arrest, he wrote the following words; and it must have been galling to the Commissioners that they must verify them so *literally*, or let Mr. Wigginton go. "I will tell the bishops how they shall deal with you" Puritans. "Let them say that the hottest of you hath made Martin, and that the rest of you were consenting thereunto; and so go to our magistrates and say, 'Lo! such and such of our Puritans have, under the name of Martin, written against your laws.' And so call you in and put to your oaths whether you made Martin or no. By this means Mr. Wigginton, or such as will refuse to take an oath *against the law of the land*, will presently be found to have made Martin by the bishops, because he cannot be gotten to *swear* that he made him *not*. And here is a device to find a hole in the coat of some of you Puritans."[1]

The press was never in Sir Richard Knightley's own house at Fawsley,[2] although the contrary appears upon record.[3] It was set up in a house (probably provided by him) "at the farther end of the town," where Waldegrave printed the second of Martin's tracts, "The Epitome."[4] This tract excited anew the anger of the Ecclesiastical Commissioners, and they were now the more bent upon apprehending Penry, believing him to be concerned not only in writing "The Epistle," but also in writing "this most seditious and libellous pamphlet, fit only for a vice in a play,"[5] as "The Epitome" was described.

[1] Martin's "Epitome," 3.
[2] Hargrave, VII. 30.
[3] Strype's Annals, VI. 602.
[4] Hargrave, VII. 29. Strype's Annals, VI. 602.
[5] Hargrave, VII. 29.

Yet Penry, far from having penned these books, far even from having approved them, earnestly, but in vain, remonstrated with Waldegrave against their publication.[1] We find no other record of anything done by the press while at Northampton. "The Epitome" occasioned "a very hot search" there. "The parson of the parish" — Mr. Edward Snape — "told Sir Richard that the printing was very dangerous; whereupon Sir Richard caused the press to be taken down,[2] and it was transported to Norton about the twenty-fifth day of December,[3] where it remained until the twentieth day of February, 1588–9. Penry, through Sir Richard's influence,[4] then secured a refuge for it at Coventry in the house of Mr. Hales, a nephew of Sir Richard.[5] Here the printing progressed vigorously under the conduct of Waldegrave. In February he printed a work — of which we find no particular description — entitled "Mineral Conclusions"; in Midlent, Penry's "Supplication to the Parliament"; and on Palm-Sunday, "Hay any Work for Cooper," Martin's third tract.[6] In the mean time, Penry's study had been sacked, on the twenty-ninth day of January, by one Richard Walton, a noted officer of the High Commission, who carried away such books and written papers "as he himself thought good."[7] Walton's

[1] Waddington's Penry, 35.

For a statement so important, it is greatly to be regretted that Dr. Waddington has not given his authority. I accept his assertion, however, believing that he would not have made it without book, and finding it to accord with other evidence to be hereafter adduced.

[2] Hargrave, VII. 29.

[3] Strype's Annals, VI. 602.

[4] Ibid.

[5] Waddington's Penry, 48.

[6] Strype's Annals, VI. 603 *bis*, 604. Hargrave, VII. 29, 30.

[7] Strype's Annals, VI. 151. Waddington's Penry, 42.

commission authorized him to enter dwelling-houses and other buildings, and to arrest and imprison any whom *he might suspect* to be privy to the operations of the secret press. To his great disappointment, he did not find Penry nor the bookbinder Sharpe, both of whom he was particularly charged to arrest.[1]

From Coventry, the press was taken to the house of Sir Roger Wickstone, in Woolston, where two other tracts of Martin were printed[2] by Hodgkins; for Waldegrave was so closely hunted that he dared no longer continue the enterprise. After working at Coventry, he had taken his departure for Scotland; his purse being supplied by friends anxious for his safety.[3]

The blood of the young Welshman was roused by what had just taken place at Northampton; not only that his house had been invaded, his study plundered, and his unprotected wife subjected to rudeness and insult, but also that Walton, an upstart official of the Archbishop and his colleagues, had treated the Mayor of Northampton with indignity, and had threatened violent proceedings, unwarranted either by law or his commission. He resorted to a bold and manly measure; an honest, outspoken appeal to Parliament to secure to the humblest citizen of the realm the protection of English law. "For myself," said he, "I have been pursued day and night by the emissaries of the bishops since the

[1] Waddington's Penry, 42, 43. Strype's Annals, VI. 151.

[2] Ibid., 603. Hargrave, VII. 30.

[3] Strype's Annals, VI. 604. Waddington's Penry, 36.

day I first addressed your Honorable Court in behalf of my kindred perishing for lack of the Gospel. The sanctuary of my house has been violated in her Majesty's name. The chief magistrate of Northampton has been insulted by a discarded beadle of a London company, summoned to appear before the High Commission, and ordered to surcease the execution of his office unless myself and another were forthcoming. Why have these outrages been committed? Because the Archbishop of Canterbury and his colleagues in commission have seen fit to consider me a suspect person, to denounce me as a sower of sedition and a traitor! Yet have I been all the days of my life at my studies, have never dealt at all in anything that concerneth civil government, and have been so far from attempting aught against her Majesty's person, that Satan himself would be ashamed to charge me therewith. I have indeed sought, but by moral force and none other, to root out the wicked hierarchy with whatsoever corruption dependeth thereon; for they tread in the dust *those rights and immunities of the people* which were warranted upon her Majesty's accession to the throne. To labor for such a reformation by all right and loyal means, I am still resolved. Though a thousand degrees inferior to mine adversaries, I have the upper hand of them in the goodness of my cause. The spilling of my blood for it, though it be a matter to be regarded of you that are in authority, yet I thank the Lord it is not the thing I fear. The discrediting of the Truth by my hard usage, — *that* it is I regard. . . . . My only suit and petition is, that I may have assurance of quietness and safety;

or that, the causes of my trouble being laid open by mine adversaries, I may receive the punishment of mine offences. I crave no immunity. Let me have justice. This is all I crave. This, in regard of your places, you are bound to afford me. Moreover, to suffer the continuance of unlawful excesses by the High Commissioners will be to infringe upon the liberties of Parliament itself. Thus do I, in most dutiful sort, make this my just appellation from the Archbishop of Canterbury, and the rest of his colleagues in commission, unto the Honorable and High Court of Parliament."[1]

Such, in substance, was the spirited language of this intrepid Reformer, addressed to the Parliament of 1588–9. He committed it to the press soon after the seventh day of March, and it was largely circulated and read before the dissolution of the Parliament, on the twenty-ninth day of the month.[2] In his petition that he might be assured a fair and speedy trial, Penry was not alone. Many scores of Christian men and women, less fortunate than he, were daily breathing the same prayer in the prisons of London, where they had been consigned by the arbitrary orders of the Commissioners, and where they were pining, and literally dying, herded with the most depraved and abandoned felons. This we shall verify hereafter.

Such was Penry's last effort in connection with the Puritan press. Soon after the publication of this "Appellation," an order for his arrest was issued by Archbishop Whitgift and five others of the Privy

[1] Strype's Annals, VI. 151. Waddington's Penry, 41–44, *passim*.

[2] Hanbury, I. 73, note.

Council, and "sent by public messengers unto all such places of the land as there was any likelihood of his abode." By this instrument he was denounced as one of whom their Honors had certain knowledge that he was an enemy to the State; and all men were ordered so to account him, to yield him no aid, comfort, or relief, and to render her Majesty good service by his apprehension, if in their power.[1] Confident now that they who sought "the spilling of his blood" would leave no spot unsearched where the arm of their power could reach, he saw no means "for the avoiding of being taken" but to seek refuge in Scotland.[2] While at Oxford he had been known to several Scottish ministers, who had visited the University. These men and their brethren had become deeply interested in his subsequent efforts for the preaching of the Gospel, and he was confident of their fellowship and protection. Taking with him, therefore, his devoted wife and their infant child, he sought a new home; choosing his route northward with great caution and secrecy by the less frequented roads.[3] One scene which they witnessed on their journey claims our attention.

They were resting a day at Halifax, a town in the West Trithing, or Riding, of Yorkshire. It was a market-day, and the market was in full view from their inn. They were inspirited by watching the animated groups of country people in their tidiest gear, as they merrily chattered and chaffered off their wares, for Penry and his wife, in their darkest hours, could look beyond their own cloud and yield

[1] Strype's Whitgift, 347, 348. Hanbury, I. 74.
[2] Strype's Whitgift, 409.
[3] Waddington's Penry, 8, 9, 49.

a lively sympathy for the happiness of others. At times for an hour or two they had stepped out upon the quaint and massive balcony of the inn to enjoy the vivacity of the motley multitude.

About noon there was a sudden suspension of traffic. The people began to move to the farther side of the market-place, where they gathered in a crowd, the farther verge of which terminated where stood two upright and parallel pieces of timber, about four feet and a half apart, and some fifteen feet in height, joined by a cross-bar at the top. Immediately beneath this connecting joist was a massive wooden block, extending from one of the upright timbers to the other. The lower surface of the block glittered in the sunlight, seeming to be furnished with some appendage of steel. The block itself was sustained by a large wooden pin from which to the ground hung a rope. Whatever might be going on immediately beneath this structure, it could not be seen by our travellers; for, at an elevation of not more than ten feet, their view was intercepted by the crowd. While they stood looking on with much curiosity, the people raised a great shout, the rope was rapidly passed along to the extent of a hundred feet or more over the heads of the people, and was eagerly grasped by as many as could reach it, while, without exception, those who could not do so extended their arms as though they would. It seemed to be an object which every one coveted. So soon as this had occurred, the crowd stood motionless and silent, but all with arms still outstretched, and every eye turned toward the upright frame. A minute or two passed. A black scarf was raised. The people again shouted.

They who had a hold upon the rope ran along with it, — the others following with extended hands, — until the supporting pin was drawn from its socket and the huge block which it had supported fell, sliding along a rabbet in the two standards. This done, the enthusiasm of the people was over. They gradually dispersed and resumed the ordinary business of the day. So soon as their departure had opened the view, Penry, still curious to know what had transpired, uttered an exclamation of horror, and Helen paled as though she would have fainted. Beneath the upright framework lay the body of a man weltering in its own blood, his head having been stricken off upon a block by the falling axe which the people had dislodged.

"Helen, pulse of my heart! I am sorry for this. You should not have seen it. Forgive me; for I did know, by common fame, that such things are done in Halifax. But of a truth, my memory did not chance to serve me till the whole was revealed."

"Was he a great criminal, think you?"

"Probably he had stolen a few shillings' worth of goods. There is no statute prescribing such punishment. But it is, if I rightly remember, a custom of this town which by long usage has become as a law, that such execution shall be done upon any one convicted of stealing so much as may be valued by four constables at thirteen pence half-penny."

"Thirteen pence half-penny! For a felony so trifling must a man be butchered?"

"Such is retribution here. Hull, only a few miles below, is as terrible also for thieves, being a town of such strict government; insomuch that you will find

it written in what is profanely called the beggar's or vagrant's liturgy, — and which has passed into a proverb in these parts, — 'From Hell, Hull, and Halifax, good Lord deliver us!' In this town, if a man be convict of having stolen a horse, a neat, or any such cattle, the self beast, or other of the same kind, instead of the people, shall have the end of the rope tied somewhere unto them; so that they being driven do draw out the pin whereby the offender is executed." [1]

"It be a terrible punishment!"

"For so small a crime, surely. Nevertheless, if death must be inflicted, it be a mode merciful."

"Merciful! A bloody death merciful!"

"Troth, Helen! The head-block wherein the axe be fastened doth fall down with such a violence that if the neck of the transgressor were so big as that of a bull, it should be cut in sunder by the stroke in a twinkling, and roll from the body by a huge distance. The death is on the instant. The victim is no sufferer. Therefore it be merciful; far, far more merciful than — than —"

"Than what, John?"

"Dangling and strangling on a gibbet, Helen; which I sometimes think is in reserve for me."

The young wife shuddered involuntarily, but turned a keen, searching look of inquiry upon her husband.

"No, Helen!" said he, instantly reading her thought. "I have put my hand to the plough. Whatever fate may threaten me or you, I turn not back."

[1] Holingshed, I. 312. Fuller's Worthies, III. 393.

"Now God be praised! God keep thee and me! God give us strength! O John! I would rather see thee suffer any death, and bear myself the anguish of widowhood a hundred fold, than have thee recreant to thy purpose or thy work."

CHAPTER VII.

MARTIN MAR-PRELATE.

Synopsis of the Martin Tracts. — Why sought for where unheard of. — The Sensation which they produced in England. — Proclamation against them. — Seizure of the Press. — Arrest of its Employees and Patrons. — Their Arraignment and Sentence. — Remarks on Martin's Writings. — Misrepresentations of them. — Their Authorship and Sponsors considered. — The Puritans disavowed them. — Disavowal of Throgmorton, Cartwright, Penry, Udal. — The prominent Puritan Clergy denounced Martin upon his first Appearance. — The Writer to this Day unknown.

1588, 1589.

"To the Right Puisante and Terrible Priests, my Clergy, Masters of the Confocation House, ... or any other of the holy league of subscription: This work I recommend unto them with all my heart, with a desire to see them all so provided for one day as I would wish, which I promise them shall not be at all to their hurt.

"Right poisoned, persecuting, and terrible priests! . . . . . You are to understand that Dr. Bridges hath written in your defence a most senseless book; and I cannot very often at one breath come to a full point when I read the same. May it please you to give me leave to play the dunce for the nonce as well as he? Otherwise dealing with master doctor's book, I cannot keep *decorum personæ*. And may it please you, if I be *too* absurd in any place, ... to ride to Sarum and thank his Deanship for it? . . . . .

They are petty popes and petty antichrists, whosoever usurp authority of pastors over them who, by the ordinance of God, are to be under no pastors. For none but Antichristian popes and popelings ever claimed this authority unto themselves, especially when it was gainsaid and accounted Antichristian, generally by the most Churches in the world..... Therefore our lord bishops ..... as John of Canterbury, Thomas of Winchester, (I will spare John of London for this time, for it may be he is at bowls, and it is pity to trouble my good brother, lest he should swear too bad,) my reverend prelate of Litchfield, with the rest of that swinish rabble, are petty antichrists, petty popes, proud prelates, intolerable withstanders of reformation, enemies of the Gospel, and most covetous, wretched priests..... For the good-will I bear to the reverend brethren, I will speak as loud as ever I can..... Neither they nor their brood are to be tolerated in any Christian commonwealth, quoth Martin Mar-prelate. There is my judgment of you, brethren.....

"Would your worship know how I can show and convince my brother Bridges to have set down flat treason? Then have at you, Dean! 1. It is treason to affirm her Majesty to be an infidel, or not to be contained in the body of the Church. 2. It is treason to say that one priest or elder may have a lawful superior authority over her Majesty. Take your spectacles then, and spell your own words, and you shall find that you have affirmed either of these two points. For you affirm that a priest may have a lawful superiority over the universal body of the Church. And you dare not deny her Majesty to be

contained within the universal body of the Church. Therefore, to help you spell your conclusion, you have written treason, if you will be as good as your writing. . . . . You will have her Majesty to be subject unto her own subject and servant. . . . . Thus you see, brother Bridges, Martin Mar-prelate hath proved you to have deserved a cawdel of hempseed and a plaster of neckweed, as well as some of your brethren the papists. . . . . .

"I care not now an I leave Mass Dean's worship, and be eloquent once in my days. . . . . Well, now to mine eloquence, for I can do it, I tell you. Who made the porter of his gate a dumb minister? Dumb John of London. Who abuseth her Majesty's subjects, in urging them to subscribe contrary to law? John of London. Who abuseth the High Commissioners as much as any? John of London. Who is a carnal defender of the breach of the Sabbath, in all places of his abode? John of London. Who goeth to bowls upon the Sabbath? Dumb, duncetical John of good London hath done all this. . . . . .

"May it please you that are lord bishops to show your brother Martin how you can escape the danger of a præmunire, seeing you urge her Majesty's subjects to subscribe clean contrary to the Statute 13 Elizabeth? . . . . . Tell me, what have you to show for yourselves? Her Majesty's prerogative? Have you? Then I hope you have it under seal. No, I warrant you her Majesty is too wise for that. For it shall never be said that she ever authorized such ungodly proceedings. . . . . Seeing you have nothing to show that it is her Majesty's will, why should any

man subscribe contrary to the statute? Forsooth, men must believe such honest creatures as you are upon your words? Must they? As though you would not lie. Yes, yes, bishops will lie like dogs. They were never yet well beaten for their lying.[1] ....

"Is it any marvel that we have so many swine, dumb dogs, non-residents, with their journeymen the hedge priests, so many lewd livers, as thieves, murderers, adulterers, drunkards, cormorants, rascals, so many ignorant and atheistical dolts, so many covetous popish bishops in our ministry, and so many monstrous corruptions in our Church, seeing our impudent, shameless, and wainscot-faced bishops, like beasts, contrary to the knowledge of all men and against their own consciences, dare in the ears of her Majesty affirm all to be well, where there is nothing but sores and blisters, yea, where the grief is even deadly at the heart? .....

"You see, my worshipful priests of this crew to

[1] The reader will perceive in this paragraph a distinct and contemporary confirmation of my statements (Vol. II. 351, 352, 382), that Elizabeth was too careful of her popularity to sanction the subscription required under Whitgift's administration; and that the bishops, by insisting upon it, were exposed to the penalties of a præmunire.

I will not echo the words of Martin about the lying habits of the bishops of his day. I do not believe them. But, to show that he might have had some occasion for the libel, I quote the following. "This was the *constant custom* of Whitgift: If any lord or lady sued to him to show favor, for their sakes, to nonconformists, ... he would profess how glad he was to serve them, and gratify them in compliance with their desire; assuring them, for his part all possible kindness should be indulged unto them. But, in fine, he would remit nothing of his rigor against them. Thus he never denied any great man's desire, and never granted it; pleasing them for the present with general promises, and .... still kept constant to his own resolution. Hereupon, afterwards the nobility surceased making more suits unto him, as ineffectual, and even left all things to his own disposal." (Fuller, Book IX. p. 218.)

whom I write, what a perilous fellow Martin Mar-prelate is. He understands of all your knavery, and it may be he keeps a register of them. Unless you amend, they shall all come into the light one day, ... unless you observe these conditions of peace which I draw between you and me. For I assure you, I make not your doings known for any malice that I bear unto you, but the hurt that you do unto God's Church. Leave your wickedness, and I 'll leave the revealing of your knaveries. . . . . 1. The said lord bishops must promise to observe without fraud or collusion, and that as much as in them lieth, they labor to promote the preaching of the Word in every part of this land. 2. That hereafter they admit none into the ministry but such as shall be known, both for their godliness and learning, to be fit for the ministry. . . . . 3. That neither they nor their servants . . . . . urge any to subscribe contrary to the Statute 13 Elizabeth; and that they suspend or silence none but such as either for their false doctrine or evil life shall show themselves to be unworthy the places of ministers. . . . . 4. That none be molested . . . . . for this my book, for not kneeling at the communion, or for resorting on the Sabbath (if they have not preachers of their own) to hear the Word preached and to receive the sacraments. 5. That never hereafter they profane excommunication as they have done, by excommunicating alone in their chambers, and that for trifles. That they never forbid public fasts, or molest those present at such assemblies. Briefly, that they never slander the cause of reformation, or the furtherers thereof, in terming the cause by the name of Anabaptistry,

schism, &c., and the men Puritans and enemies to the State.....

"I offer you peace upon the former conditions, if you will keep them. But if you violate them, either in whole or in part, then your learned brother Martin doth proclaim open war against you, and intendeth to work your woe in two manner of ways. *First*, I will watch you at every half-turn, and whatsoever you do amiss I will presently publish it..... To this purpose, I will place a young Martin in every diocese which may take notice of your practices..... And rather than be disappointed of my purpose, I will place a Martin in every parish..... I hope in time they shall be as worthy Martins as their father is; every one of them able to mar a prelate..... *Secondly*, All the books that I have in store already of your doings shall be published upon the breach of the former covenants, or any of them.....

"Now, master prelates, I will give you some more counsel. Follow it. Repent, clergymen, and especially bishops. Preach faith, bishops, and swear no more by it. Give over your lordly callings..... Rail no more in the pulpit against good men..... Abuse not the High Commission, as you do, against the best subjects. The Commission itself was ordained *for very good purposes*, but it is most horribly abused by you, and turned clean *contrary to the end wherefore it was ordained.* Help the poor people to the means of their salvation, that perish in ignorance. Make restitution unto your tenants, and such as from whom you have wrongfully extorted anything. Usurp no longer the authority of making

of ministers and excommunication. Let poor men be no more molested in your ungodly courts. Study more than you do, and preach oftener. Labor to cleanse the ministry of the swarms of ignorant guides wherewith it hath been defiled. Make conscience of breaking the Sabbath by bowling and tabling. . . . . And I would advise you, let me hear no more of your evil dealing. . . . . .

"By your learned and worthy brother, Martin Mar-prelate."

We have had repeated occasion to notice the Presbyterian Platform, framed by the Puritans, entitled "The Holy Discipline of the Church described in the Word of God,"[1] which was printed at Cambridge in 1584, seized and suppressed, but again printed in 1586.[2] This book, and others which had been printed by the Puritans, were assailed, in 1587, by Dr. John Bridges, Dean of Sarum, in a formidable pamphlet of fifteen hundred quarto pages,[3] entitled "A Defence of the Government of the Church of England."[4] In 1588, about the month of Octo-

[1] *Ante*, Vol. II. pp. 270–276; Vol. III. p. 152.

[2] Strype's Whitgift, 151, 247.

[3] Strype's Annals, V. 414; VI. 96. Maskell, 26–29.

[4] "To this an answer was returned, called 'A Defence of the godly Ministers against the slanders of Dr. Bridges.' Bridges replied, and the other party published a rejoinder." (Collier, VII. 73.) Afterwards Martin appeared. I take occasion here to quote Mr. Maskell. Complaining that any one should "suppose that Dr. Bridges wrote against Martin Mar-prelate," he adds, "This error may be traced to a passage in Neal, who says (though *he* knew better), 'Dr. Bridges answered Martin in a ludicrous style.'" (Maskell, 8, and 9, note.) Mr. Maskell is pleased to give Mr. Neal the lie direct; less courteous than an American critic, who only speaks of Neal's "fibs." (*Ante*, Vol. II. p. 109, note 2.) Whether Dr. Bridges did write against Martin may be a question; but I cannot pass such a charge against Mr. Neal without notice. Certainly, Mr. Neal had some authority for his assertion. "The Epitome was

ber,[1] appeared the first tract of Martin Mar-prelate, levelled particularly at the "Defence" of Dr. Bridges. It was entitled "An Epistle to the Terrible Priests of the Convocation House," and purported to have been "Printed over sea, in Europe, within two furlongs of a bouncing priest." From this we have given extracts above. It was soon followed by "An Epitome of the first book of that right worshipful volume written against the Puritans in defence of the noble clergy, by John Bridges, Presbyter, Priest, or Elder, Doctor of Divility, and Dean of Sarum. ..... Compiled for the behoof and overthrow of the unpreaching Parsons, Vicars, and Curates that have learned their catechisms and are past grace. By the reverend and worthy Martin Mar-prelate, gentleman, and dedicated by a second epistle to the Terrible Priests." From this second epistle we give some extracts.[2]

"Why, my clergy masters, is it even so with your terribleness? May not a poor gentleman signify his good-will unto you by a letter, but presently you must put yourselves to the pains and charges of

intended for an answer to a book written by the Reverend Dean of Sarum against Martin Mar-prelate." (Strype's Whitgift, 288.) A mistake, to be sure, but did Neal "know" it? "One of these" answerers to Martin "was Dr. Bridges, Dean of Sarum." (Strype's Annals, VI. 96.) "Dr. Bridges had written against Mar-prelate's libel, and that very well." (Strype's Whitgift, 301.)

[1] Strype records an order from the queen to the Archbishop "to search for the authors of a lewd, seditious book lately printed," &c., which he says was Martin's. The date of this order is Nov. 14th, 1588. (Strype's Whitgift, 289.) Hence it would seem that the first of this series must have appeared late in October, or early in November.

[2] All my references to Martin's writings, and also to Dr. Cooper's "Admonition," are to their reprints by John Petheram, London, 1843–1847.

calling four bishops together . . . . . and posting over city and country for poor Martin? Why! his meaning in writing unto you was not that you should take the pains to seek for him! Did you think that he did not know where he was himself?..... I thank you, brethren. I can be well though you do not send to know how I do. My mind towards you, you shall know from time to time by my pistles. As now; where you must know that I think not well of your dealing with my worship and those that have had of my books in their custody. I'll make you rue that dealing of yours, unless you leave it. I may do it, for you have broken the conditions of peace between us. . . . . The Puritans are angry with me, I mean the Puritan preachers. And why? Because I am too open. Because I jest. I jested because I dealt against a worshipful jester, Dr. Bridges, whose writings and sermons tend to no other end than to make men laugh. I did think that Martin should not have been blamed of the Puritans for telling the truth openly. For may I not say that John of Canterbury is a petty pope, seeing he is so? You must then bear with my ingramness.[1] I am plain. I must needs call a spade a spade, a Pope a Pope. I speak not against him as he is a Councillor, but as he is an Archbishop, and so Pope of Lambeth. . . . . And bishops . . . . . all of you are in an unlawful calling, and no better than a brood of petty popes. . . . . Friars and monks were not so bad. They lived in the dark. You shut your eyes lest you should see the light. . . . . I have pulled off your vizards. Look to yourselves, for my sons will not see

[1] Ignorance.

their father thus persecuted at your hands. I will work your woe and overthrow, I hope. And you are already clean spoiled unless you will grant the Puritans a free dispensation, and leave your persecuting."

In the "Epitome" — to which *this* "epistle" serves as a preface — we find but little of the exceptionable language so conspicuous in "*The* Epistle." "Thou knowest not how I love thee for thy wit and learning sake, brother John (as for thy godliness I might carry it in mine eye and see never a whit the worse)" — is almost the only railing accusation it contains. Our present object is only to exhibit the facetious, the satirical, the scurrilous, the gross which came from Martin's pen.

Dr. Thomas Cooper, Bishop of Winchester, now appeared in the lists. There appeared from his pen "An Admonition to the People of England: wherein are answered not only the slanderous untruths reproachfully uttered by Martin the libeller, but also many other crimes by some of his brood, objected generally against all bishops and the chief of the clergy, purposely to deface and discredit the present state of the Church." With few and moderate exceptions, this volume was written in a style becoming the author's station in a Christian church.

Martin Mar-prelate lost no time in replying. Early in 1588–9 he issued his third tract, "Hay any Work for Cooper; Or a brief Pistle directed by way of an hublication to the reverend Bishops, counselling them, if they will needs be barrelled up for fear of smelling in the nostrils of her Majesty and the State, that they would use the advice of the reverend Martin

for the providing of their cooper. . . . . Wherein worthy Martin quits himself like a man, I warrant you, in the modest defence of hisself and his learned Pistles, and makes the Cooper's hoops to fly off and the bishop's tubs to leak out of all crie.[1] . . . . . Printed in Europe, not far from some of the bouncing priests."

This tract is also prefaced by "An Epistle to the Terrible Priests," thus: —

" . . . . . O, brethren, there is such a deal of love grown of late, I perceive, between you and me, that although I would be negligent in sending my pistles unto you, I see you cannot forget me. I thought you to be very kind when you sent your pursuivants about the country to seek for me. But now that you yourselves have taken the pains to write, this is out of all crie. Why! it passes to think what loving and careful brethren I have, who, although I cannot be gotten to tell them where I am, because I love not the air of the Clink or Gate House in this cold time of winter, and by reason of my pistle-making, will notwithstanding make it known unto the world that they have a month's mind towards me.[2] Now, truly, brethren, I find you

[1] Out of all measure.

[2] "Month's mind," i. e. a strong desire. So Shakespeare, in "The Two Gentlemen of Verona" (Act I. Scene 2): "*Julia.* I see you have a month's mind to them." Respecting the comments upon this passage by Gray and Johnson, Mr. Petheram (to whom I am indebted for the definition of this phrase) has the following remark. "This expression has nothing to do with the office of the Romish Church for the repose of the dead, formerly used in England, although it is possible the expression might have originated from it. Here it expresses a strong desire; and just in the same sense it is used in the western counties to this day. Shakespeare, in the following quotation," — which I have given above, — "used it in this sense, although the commentators have given some most strange illus-

kind. Why, you do not know what a pleasure you have done me! My worship's books were unknown to many before you allowed T. C. to admonish the people of England to take heed..... Now many seek after my books more than ever they did..... Many did not know, either, that 'Amen!' is as much as 'By my faith!' and so that our Saviour Christ ever sware by his faith;[1] or that bowling and eating of the Sabbath are of the same nature.[2] . . . . . Many, I say, were ignorant of these things, and many other pretty toys, until you wrote this pretty book. Besides, whatsoever you overpass in my writings and did not gainsay, that I hope will be judged to be true. And so John Bridges' treason you grant to be true. Yourselves you deny not to be petty popes, ... so that the reader may judge that I am true of my word, and use not to lie like bishops. And this hath greatly commended my worship's

trations." Mr. Petheram is sustained by the following expression which he quotes from Fuller (Book IV. Sec. 23): "The king had more than a month's mind to procure the Pope to canonize Henry VI. for a saint."

[1] This refers to a remark in Martin's "Epistle," which I have not quoted, that the Bishop of London was in the habit of exclaiming, or, as Martin calls it, swearing, "By my faith! by my faith!" (*Ante*, Vol. II. pp. 257, 260. Strype's Aylmer, 215, 216.) Bishop Cooper, in his "Admonition," had replied, "In the phrase of our speech, 'by my faith!' signifieth no more but 'in very truth,' '*bona fide*,' 'in truth,' *id est*, 'Amen.'" (p. 47.)

[2] I have quoted Martin on this point. "Who goeth to bowls on the Sabbath? Dumb duncetical John of good London." This, as well as "By my faith!" was a notorious fact. Bishop Cooper's reply was: "And for your jesting at the bishop for bowling upon the Sabbath, you must understand that the best expositor of the Sabbath, which is Christ, hath said that the Sabbath was made for man, and not man for the Sabbath; and man may have his meat dressed for his health upon the Sabbath, and why may he not then have some convenient exercise of the body for the health of the body?" ("Admonition," 43, 44.)

good dealing. . . . . Ah! crafty whoresons brethren bishops! did you think because the Puritans' T. C.[1] did set John of Canterbury at a *nonplus*, and gave him the overthrow, that therefore *your* T. C., *alias* Thomas Cooper, could set me at a *nonplus!* Simple fellows!

"I guess your T. C.[2] to be Thomas Cooper, (but I do not affirm it,) because . . . . . none" other "would be so grosshead as to gather—because my reverence telleth Dean John that he should have twenty fists about his ears more than his own,[3] whereby I meant indeed that many would write against him by reason of his bomination learning, which otherwise never meant to take pen in hand—that I threatened him with blows and to deal by Stafford law.[4] Whereas that . . . . . could by no means be gathered out of my words but only by him . . . . . whom a papist made to believe that the Greek word εὐλογέιν, that is, to give thanks, signifieth to make a cross in the forehead. Py, hy, hy, hy! I cannot but laugh; py, hy, hy, hy! I cannot but laugh to think that an old soaking student in this learned age is not ashamed to be so impudent as to presume to deal with a Papist when he hath no grue in his pocket.[5] . . . . . And

[1] Thomas Cartwright.

[2] Dr. Cooper's book appeared with only his initials.

[3] "Epistle," p. 2; which I have not quoted.

[4] I. e. Club law.

[5] Upon this word "grue" Mr. Petheram has the following note. "Nares, in glossing the word, says that it 'seems to be put for the word γρῦ; i. e. any trifling or worthless matter.' The allusion in the text, having evident reference to the moderate knowledge of Greek which Martin's adversary possessed, may therefore mean, when he had *very little or no learning* wherewith to answer him." In my note (*ante*, Vol. I. p. 31, note 1) I have written, "They consented, and he did so, because he *knew no better*." So are the words in Strype's Aylmer, now be-

I tell you true, our brother Winchester had as lief play twenty nobles in a night at Primero on the cards, as trouble himself with any pulpit labor; and yet he thinks himself to be a sufficient bishop. What! a bishop such a card-player! A bishop play twenty nobles in a night!"

We pass from this prefatory epistle to the tract itself, in which we find many offensive passages.

"Now, you wretches, (Archbishop and lord bishops, I mean,) you Mar-state, Mar-law, Mar-prince, Mar-magistrate, Mar-commonwealth, Mar-church, and Mar-religion,[1] are you able for your lives to answer any part of the former syllogism whereby you are concluded to be the greatest enemies unto her Majesty and the State? You dare not attempt it, I know. . . . . You are, then, the men by whom our Estate is most likely to be overthrown. You are those that shall answer for our blood which the Spaniard or any other enemies are like to spill, without the Lord's great mercy. You are the persecutors of your brethren (if you may be accounted brethren). You and your hirelings are not only the wound, but the very plague and pestilence of our

fore me. But in some other edition of the same work, which I had in hand when that note was penned, (or, perhaps, in McCrie's Life of Knox,) the words were, "because he had no greue." In that case, and in the one now before us, the *reading of Greek* was concerned. I therefore question whether the word "grue" may not have been another way of writing the word "Greek."

[1] Martin borrows these names from Bishop Cooper, who wrote thus ("Admonition," 27): "The author of them calleth himself by a feigned name, Martin Mar-prelate; a very fit name undoubtedly. But this outrageous spirit of boldness be not stopped speedily, I fear he will prove himself to be not only Mar-prelate, but Mar-prince, Mar-state, Mar-law, Mar-magistrate, and all together, until he bring it to an Anabaptistical equality and community."

Church. You are those who maim, deform, vex, persecute, grieve, and wound the Church. . . . . I know I am disliked of many which are your enemies, that is, of many whom you call Puritans. It is their weakness. I am threatened to be hanged by you. What though I were hanged? Do you think your cause shall be better? For the day that you hang Martin, assure yourselves there will be twenty Martins spring in my place. I mean not now, you gross beasts, of any commotion as profane T. C., like a senseless wretch not able to understand an English phrase, hath given out upon that which he calleth the threatening of fists. Assure yourselves, I will prove Mar-prelate before I have done with you."

On another point. "I do not marvel though thou callest me libeller, when thou darest abuse the Prophets far worse than in calling them libellers, for, I tell thee true, thou couldest not have any way so strained their good names as thou hast done in comparing them to our bishops. Call me libeller as often as thou wilt, I do not greatly care. But, an thou lovest me, never liken me to *our bishops of the Devil.*"

"What further need have we of witnesses?" exclaims the indignant reader. Yet even Martin Mar-prelate must not be wronged. Let us hear him, then. A few pages before these startling words, "our bishops of the Devil," he had written the following paragraph, in which we should carefully distinguish between what *he* says and what *Dr. Bridges* had said. In the paragraph he simply makes an annoying logical deduction, placing the bishops fairly between the horns of a very disagreeable dilemma.

"I say that, *by your own confession*, you are bishops of the Devil. I will prove it thus. You confess that your lordly government . . . . . your offices were unlawful in our Commonwealth, if her Majesty, the Parliament, and the Council would have them abolished. If you grant this, then you do not hold your offices from *God*, but as from *man*. . . . . Well, sir; if you say that you are the bishops of man, then tell me whether you like of Dean John's book. 'O yes!' saith T. C., 'for his Grace did peruse that book, and we know the sufficiency of it to be such as the Puritans are not able to answer it.' Well then, whatsoever is in this book is authentical? 'It is so,' saith T. C., 'otherwise his Grace would not have allowed it.' What say you, then, to the page of that book where he saith that 'there is no bishop of man at all; but every bishop must be either the bishop of God or the bishop of the Devil'? He also affirmeth 'none to be the bishop of God but he who hath warrant, both inclusively and also expressly, in God's Word.' Now you bishops of the Devil, what say you now? Are you spighted of the Puritans because you, like good subjects, defend the laws of her Majesty? Or else because, like incarnate devils, you are bishops of devils, *as you yourselves confess?* . . . . . Either by their own confession they are bishops of the Devil, ... or else their places ought to be in this Commonwealth, whether her Majesty and our State will or no; because they are not (as they say) the bishops of man, that is . . . . . by human constitution, ... but by Divine ordinance. . . . . What shift will

they use to avoid this point? Are they the bishops of men,—that is, hold they their jurisdiction as from men? 'No,' saith Dean Bridges; 'No,' saith John Canterbury and the rest of them (for all of them allow of this book of John Bridges), 'for then we are bishops of the Devil, we cannot avoid it.' Are they then the bishops of God? that is, have they such a calling as ought lawfully to be in a Christian commonwealth, ... whether the magistrate will or no? 'We have,' say they; 'for our callings are not only inclusively but expressly in the Word.' So that, *by Dean Bridges' confession and the approbation of John Canterbury, either* our bishops are bishops of the Devil or their callings cannot be defended lawful without flat and plain treason in overthrowing her Majesty's supremacy. And so Dean Bridges hath written, and John Whitgift approved and allowed flat treason to be published." . . . . .

"But will our bishops lead their Antichristian callings and persecutions, think you, if they be *mildly* and *gently* dealt with? Then, good John of Canterbury, I pray thee leave thy persecuting. Good John of Canterbury, leave thy popedom. Good father John of London, be no more a bishop of the Devil; be no more a traitor to God and his Word. And, good sweet boys, all of you, become honest men. Maim and deform the Church no longer. Sweet fathers now, make not a trade of persecuting. Gentle fathers, keep the people in ignorance no longer. Good fathers now, maintain the dumb ministry no longer. Be the destruction of the Church no longer, good sweet babes now. Leave your non-residency and your other sins, sweet popes now;

and suffer the truth to have free passage. Lo! T. C., now I have *mildly* dealt with the good fathers. I will now expect awhile, to see whether they will amend by fair means."

We give one more extract. "Therefore you, T. C., and you, Dean John, and you, John Whitgift, and you, the rest of the beastly defenders of the corrupt Church government, are not only traitors to God and his Word, but enemies to her Majesty and the State. Like you any of these nuts, John Canterbury? I am not disposed to jest in this serious matter. I am called Martin Mar-prelate. There be many that greatly dislike of my doings. I may have my wants," — faults, lacks, defects, — "I know; for I am a man. But my course I know to be ordinary" — regular — "and lawful. I saw the cause of Christ's government, and of the bishops' Antichristian dealing, to be hidden. The most part of men could not be gotten to read anything written in the defence of the one and against the other. I bethought me, therefore, of a way whereby men might be drawn to do both; perceiving the humors of men in these times (especially of those that are in any place) to be given to mirth. I took that course. I might lawfully do it. I, for jesting is lawful by circumstances, even in the greatest matters.[1] The circumstances of time, place, and persons urged me thereunto. I never profaned the Word[2] in any jest.

[1] The use of "I" for "aye" was common with writers at this time. So in "The Epitome" (p. 11): "Here then is the Puritan's I, for the permanency of this government and Master Doctor's No." "There were with the Yea or I eighty-five voices, and with the No but sixty nine." (D'Ewes, 373.) This use of I is of constant recurrence in D'Ewes.

[2] I think this is an allusion to a

Other mirth I used as a covert, wherein I would bring the truth to light. The Lord being the author both of mirth and gravity, is it not lawful in itself for the truth to use either of these ways, when the circumstances do make it lawful?

"My purpose was and is to do good. I know I have done no harm, however some may judge Martin to mar all. They are very weak ones who think so. In that which I have written I know, undoubtedly, that I have done the Lord and State of this kingdom great service; because I have in some sort discovered the greatest enemies thereof."

previous statement of Martin, viz.: "This priest being lately demanded whether he should be Bishop of Ely, answered that he had now no great hope to be Bishop of Ely; 'and therefore,' quoth he, 'I may say well enough, Eli, Eli, lama sabacthani,' alluding very blasphemously unto the words which our Saviour spake in his greatest agony on the cross." ("Epistle," 63.) "I pray thee, T. C., how canst thou excuse his blasphemy? There have been two outrageous facts amongst others committed in the world by those that profess true religion. The one was, the betraying of our Saviour by Judas the Apostle; the other was the horrible mockery of his agony and bitter passion, by John Aylmer, a bishop, in this speech." ("Hay any Work for Cooper," 72.) Mr. Maskell (pp. 65, 66) comments upon this thus: "Very blasphemous was such an allusion. We can scarcely believe that it was other than an invention of the writer, or at least fathered unjustly upon an English prelate. And yet Bishop Aylmer makes us doubt, upon the evidence of his own book." He then quotes the anecdote which I have given, (Vol. I. p. 31, note 1,) showing how in another case the same lamentation of our Saviour was irreverently, or ignorantly, used. Mr. Maskell says that the story was told of "some presbyter priest"; and so indeed Martin phrases it. ("Epistle," 62.) But was he ignorant that Martin charged this "blasphemous allusion" upon Bishop Aylmer *by name?* That he did so is sufficient, I think, to show that the story was no "invention of the writer"; for Martin must have been demented to have *published* such a story, and to have charged it home upon the bishop himself, had it been a pure fiction. The missile, in that case, would surely have recoiled upon his own head. Dr. Cooper, in his reply to Martin's charges against Bishop Aylmer, makes no mention of this anecdote; perhaps because Martin did not fix it upon Aylmer until after the "Admonition" was published.

In these remarkable Papers there were peculiarities other than appear in our quotations, and which require a passing notice. They contained ("The Epistle" particularly) many scandalous tales about some of the prelates; though Martin declares that he notices not one of their secret faults, but only those of their misdeeds which were matters of common notoriety. But Martin was by no means merely a satirist and a railer. His tracts also contained a large proportion of tart criticism, of shrewd objections to prelacy *as connected with the State*, and of reasoning as fair and logical as any laid down by any of the Precisians of the Establishment. Our extracts have been confined to their most rude and offensive parts. We have exhibited, without reserve, the scurrilous words and phrases with which they so deplorably abound; for at these chiefly the shafts of partisan historians have been hurled, — these they have heedlessly magnified, misrepresented, and distorted. We have made our extracts so copiously because no mere *description*, however impartial, can convey a true idea of their pungent peculiarities; because it is but just to let Martin represent himself; and because we have no disposition to conceal or to gloss anything exceptionable or blameworthy in writings for which the Puritans are usually represented as responsible. Another consideration has influenced us. 'In these United States of America' — we are told — "we have *no literature of our own*. Hence we are eager for importations. Not eager because we wish for information, — that is only a pretext, — but because we hanker for excitement, for amusement; and that to such a degree, that even the

Martin Mar-prelate tracts, charged as they are with the most deadly poison, and one for which we have no antidote, will be generally acceptable."[1]

The writings of Martin Mar-prelate produced a great sensation. They were eagerly and extensively read. Martin boasted of this. "You see how I am favored of all estates, the Puritans only excepted. I have been entertained at Court.[2] Every man talks of my worship. Many would gladly receive my

[1] I quote my authority for these statements. "A most serious objection lies against the republication of these Elizabethan Puritan tracts. It is this: that by far the greater part of the edition goes to America. That is, as it seems to me, the very country to which these books ought not to go. It is natural that the thousands of its quickly increasing population, with no literature of their own, should eagerly look abroad, from any source, for information. They are *not able* to judge correctly of the supply which is readily enough poured in; and in fact, whilst a wish for information is made a pretext, excitement and to be amused are the real prompters of the demand for books. And so this country sends them, as a portion of its traffic, the tracts of Martin Mar-prelate! In the hands of a people who possess not the checks to ill which still exist among ourselves, ... where there is no attempt at discipline, and scarcely certainty upon the most important doctrines, — in their hands, I say, we are gratuitously placing weapons of which they know not the fatal power; which they as yet want not, neither ask for, because they are ignorant of their existence." Yet "the greater part of the edition goes there, — and we thrust upon them most deadly poison, knowing that they have not the antidote by which our ancestors were saved in *their* hour of peril." (Maskell, 10, 11.)

All this is highly amusing and suggestive. But I bridle my pen, and will only say for Mr. Maskell's consolation, that I have been obliged to apply to the London market for Martin; that of the "thousands" of this country — we are accustomed to say "millions" — I doubt whether threescore have ever read him; and that I am sure that in their own wholesome, home-bred intelligence, and in their large knowledge of God's Word, they have a sufficient "antidote."

[2] "When a prohibition issued that no person should carry about them any of the Martin Mar-prelate pamphlets on pain of punishment, the Earl of Essex" (Robert) "observed to the queen, 'What, then, is to become of me?' drawing one of these pamphlets out of his bosom and presenting it to her." ("Quarrels of Authors," 516.)

books, if they could tell where to find them."[1] "It is strange how secretly they were printed, how speedily dispersed, how generally bought, how greedily read, yea, and how firmly believed, especially of the common sort, to whom no music better than to hear their betters upbraided."[2]

The queen, having ordered special search for Martin and his "complices," also issued a proclamation on the thirteenth day of February, 1588–9, requiring all copies of his books, and of others written against the constitution and dignitaries of the Church, to be delivered to the bishops, and by them destroyed; and forbidding all persons to print, publish, distribute, or keep any of the same, "as they would answer the contrary at their utmost perils and upon such pains and penalties as by the law might any way be inflicted upon the offenders," which pains and penalties she "minded to have severely executed."[3]

In the month of August, 1589, the Archbishop, while at Canterbury,[4] had the satisfaction of hearing that the press, type, and printers of the Martin Marprelate tracts had been discovered and seized (by Henry Earl of Derby) at Manchester,[5] in the very act of printing a new tract by Martin, entitled "More Work for Cooper."[6] The persons arrested were immediately sent prisoners to London.[7] As soon as his Grace heard of the arrest, he wrote an earnest letter to Lord Burleigh, in which he said, "I could

[1] "The Epitome," p. 2.
[2] Fuller, Book IX. p. 193.
[3] Strype's Whitgift, Appendix, Book III. No. XLI.
[4] Strype's Whitgift, 313.
[5] Fuller, Book IX. p. 194.
[6] Strype's Whitgift, 288; Annals, VI. 605.
[7] Strype's Whitgift, 313.

wish them" — the printers — "to be dealt with according to their deserts, and the quality of their offence. I wish also that it might be done rather by their Lordships of the Council than by ourselves," — the bishops in the Ecclesiastical Commission. This letter was dated "the 24 August, 1589."[1]

From the documents before us, it seems that the printers arrested were Hodgkins, the master, and his two men, Symms and Tomlyn;[2] that they were lodged in the Tower (as prisoners of state);[3] that they were examined before Sir John Puckering, the queen's serjeant-at-law, and others "commissioners *appointed for that purpose*."[4] We infer that it was by the examination of these printers, that the names of certain "complices" became known, — Sir Richard Knightley, Sir Roger Wickstone and Lady Wickstone his wife, Mrs. Crane, — all of whom had provided harbor for the press, — Henry Sharpe, the bookbinder, and Humfrey Newman, a secret disperser of the books.[5] All these persons, also, were examined by the special commission, which seems to have been appointed in compliance with the Archbishop's request that the Ecclesiastical Commissioners might be spared further odium. From the unsatisfactory, because meagre, minutes of these examinations, we transcribe only the simple but honorable record concerning Mrs. Crane: "She refused to answer upon oath to any question; either concerning herself, for that, as she said, she would not be her own hangman; or concerning others,

[1] Strype's Whitgift, 314. Waddington's Penry, 55; from the original MS.
[2] Strype's Annals, VI. 605.
[3] Ibid., 604.
[4] Ibid., 102.
[5] Ibid., 102, 602–606.

for that she could not in her conscience be the accuser of others."[1]

Sir Richard Knightley, his nephew[2] John Hales, Sir Roger Wickstone, and Lady Wickstone, were arraigned before the lords in the High Court of Star-Chamber, "for maintaining seditious persons, books, and libels." Sir Richard was fined two thousand pounds; Mr. Hales, a thousand marks; Sir Roger, for obeying his wife[3] and not discovering the press, five hundred marks; Lady Wickstone, a thousand pounds; and all were sentenced to imprisonment during her Majesty's pleasure.[4] "Here Archbishop Whitgift bestirred himself[5] to improve his interest with the queen till his importunity had angered her, and till his importunity had pleased her again, that they might be delivered out of prison and eased of their fines; which, upon their submission, was performed. Whose mildness to mediate for his adversaries, as it was highly commended by some, so there wanted not those who imputed his moderation therein to declining of envy, gaining of applause and remorse of his own conscience for over-rigorous proceedings; it being no charity to cure the wound he had caused, and

[1] Strype's Annals, VI. 605.

[2] Hargrave, VII. 31.

[3] "Wickstone confessed that his wife desired him to permit them a home in his house, which he consented unto." Upon this Hatton remarked that "it was a silly answer to say his wife desired him, a great folly to be ruled by her, and she passed the modesty of her sex to rule him"; and Sir John Perrot said expressly, "he thought him worthy of the greater punishment for giving such a foolish answer, as that he did it by his wife's desire." (Hargrave, VII. 31, 32.)

[4] Ibid., 29, 32.

[5] "Such was his mildness and good nature," says Camden (421). Suppose we should insert these words in our narrative of Wiggin ton's experience, — what then?

solicit the remitting of those fines he had procured to be imposed."[1]

We find no account of any *trial* of the printers, the disperser, or the binder of the books, nor of the resolute Mrs. Crane; unless, indeed, we accept the statement — given without citation of any authority — that "the printer and the disperser were deeply fined in the Star-Chamber, and others *were put to death*."[2] The Archbishop interceded for

[1] Fuller, Book IX. p. 194.

[2] Neal, I. 190.

I have been surprised to find no more than I have stated in the text respecting the humbler parties in this affair; and the more, if the statement of the *execution* of them is true. I say, if it is true; for Mr. Neal, being the only writer I can find who says so, and giving no authority for what he says, is fairly questionable in a matter so grave.

I have not given the date of the trial in the Star-Chamber. In trying to determine it, I have been baffled. Taking Archbishop Whitgift's letter of Aug. 24th, 1589, as a stand-point, — and we must rely upon its date because Strype and Waddington (who copies from the original MS.) agree, — it is impossible to admit the date assigned in Hargrave to the trial of Knightley and others, Feb. 13th, 1588, i. e. 1588–9; for this, according to Whitgift's date, must have been six months before the discovery of the press. Again, to accept this date is impossible, because Attorney-General Popham said, when opening the prosecution, "Her Majesty, in February *last*, set forth another Proclamation that all her subjects might take warning." According to the date which puzzles me, these words were said on the very day when her Majesty's Proclamation was dated. What is more singular, we find the same (nearly the same) inadmissible date — February 15th, 1588–9 — assigned in Strype's Annals (VI. 602) to the examinations (which always preceded trials) of Knightley and others; and then, upon the next page, occur the words (as in Hargrave), "Feb. *last*, 88," i. e. 1588–9. Thus both in the State Trials and in the minutes of the "examinations" by Sir John Puckering (in Strype), erroneous dates have been given. I have therefore placed the examinations and the trial after Whitgift's letter, and conceive that they must have taken place in August and September, 1589. These statements are necessary to justify the order in the text for disagreeing with documents of so high authority.

I find the following in Nicholas's Life of Hatton (pp. 485, 486). "From her Majesty, Remembrances to my Lord Treasurer, the second of September, 1589. . . . . *Item.* The examination of Martin Mar-prelate to be thoroughly proceeded in." Yet

the gentry. Did his "mildness to mediate for his adversaries" extend to all, — to simple as well as to gentle? Or did his Grace's "mildness" "have respect unto persons"?

The great object — the discovery of Martin himself — was not attained, nor was any clew to him developed. None of the examinates knew who he was.

We cannot assent to the statement that "the main drift and scope of these pamphlets" — of Martin — "was to defame and disgrace the English prelates."[1] They contained, to be sure, more than enough of insult, and more than enough of facts — poorly explained, when replied to — which told hard against some of the bishops. But their main purpose and chief burden were, to show the anti-Scriptural character of prelacy, especially as comprising within itself an irresponsible and arbitrary power to punish. We say, to show the anti-Scriptural character of the *prelacy*, so accoutred; not of the *prelates*. For while Martin hesitates not to say, "You three," — the Bishops of London, Exeter, and Winchester, — "like furious and senseless brute beasts, ... spare none, but with tooth and nail cry out, 'Down with that side that favoreth the Gospel so!' and fetch them up with pursuivants," he expressly and in the same breath declares that "Other bishops in the land (only John Canterbury excepted), though they serve at an inch in their place to maintain

in a note on page 486, it is said that the autograph in the State Paper Office is indorsed by Lord Burleigh thus: "*3rd August*, 1589. A memorial by my Lord Chancellor."

[1] Fuller, Book IX. p. 193.

his Grace's pride and cruelty, to stay the course of the Gospel, and to fetch in men within the compass of subscription, yet are they those, for the most part, that will imprison none and trouble very few, unless it be for fear that, if they should tolerate too much, they should have a check of their worshipful Paltripolitan."[1]

Of the scurrility of Martin, we have given abundant specimens. We have not been disposed either to soften or to exaggerate it. Sarcasm, satire, and even buffoonery have their peculiar offices and their proper places. In some cases these rhetorical auxiliaries are legitimate, and in some are only feasible weapons. In the present case, other modes having failed, and great suffering having been long endured, there had been great provocation to try what virtue there might be in nettles and stones. But when, as here, sarcasm descends to sauciness, satire to railing, and buffoonery to ribaldry, — especially in religious affairs, — we make no apology for these things, however great the provocation.[2]

But while we emphatically condemn, we must say,

[1] "The Epitome," 38, 39.

[2] Thomas Nash wrote against Martin, attempting to compete with him as a satirist. Nash was of St. John's College, Cambridge, where he took his degree of B. A. in 1585. He is supposed to have quitted the University in disgrace about the year 1586. (Petheram's Introduction to "An Almond for a Parrot.") His writings are remarkable for their low satire and waggery; but contain nothing fitted to cope with the scholastic argument which abounds in Martin. Izaak Walton, in his "Life of Hooker," says that "he put a greater stop to these malicious pamphlets" — of Martin — "than a much wiser man had been able." Collier (VII. 74) says "he broke the enemy at two or three charges, and drove them out of the field." Just as Cartwright "drove" Whitgift; just as the king followed Madam Blaze. But no one knows to this day for *what reason* Martin's pen was suspended. Probably he had written all he wished.

what Martin's historical censors have always been careful not to say, that in this sin he did not stand alone or pre-eminent. John Aylmer could call the Popish clergy "spiritual spiders"; and Bonner, who was a corpulent man, he titled "my Lord Lubber of London." And his biographer — who is shocked at Martin's indecency — has placed these among Aylmer's choice sayings, as denoting his "wisdom and judgment."[1] "Thou art an ass, an idiot, and a fool!" said the same man, when himself a bishop; and he said it to a brother minister of the Gospel of Christ.[2] Mr. John Wilson, "a pious, faithful and useful preacher," was thus addressed by Dr. Walker, one of the Ecclesiastical Commissioners: "Thou art an ass; thou art a dolt; thou art a beardless boy! Thou hast neither learning nor humanity in thee!"[3] We have before stated, that preachers before the Court accused their brethren — true men and honest — of schism, heresy, and treason, and denounced some of them "*by name* as wicked men, beasts, and devils." This, too, from the pulpit![4] We have also found a minister of the Precise school aspersing other ministers, his neighbors, as "vipers, serpents, stingers, and insatiable beasts."[5] "You are boys, pincokes, and will you teach others?" said Bishop Aylmer to certain teachers of Christ. "If I had a boy in Cambridge who would make such reasons, I would britch him." To another minister, venerable for his character and years, "You are a fool; hold your peace!" —

[1] Strype's Aylmer, 273, 275.
[2] Brook, I. 226.
[3] Ibid., 355.
[4] *Ante*, Vol. I. p. 498.
[5] *Ante*, Vol. II. p. 292.

and of another, "Have him away! Let him go home and scold his wife!"[1] But enough of this. If, as has been said, — and we assent to it, — if "the rudeness of some in resisting the bishops . . . . . is not to be read to this day without disgust,"[2] the same is true of the rudeness of the bishops and other zealous conformists in resisting their brethren. If Martin lived in a house of glass, so did many of the straitest Precisians. If he sinned against good taste and good manners and Christian morality, so did they.[3]

It is perhaps with more feeling than should guide a historical pen, certainly with more than we will express, that we find annalists whose sympathies are with the Elizabethan prelacy ignoring both the Scriptural and the secular pleas of Martin against the State hierarchy; gleaning scraps of his most offensive language;[4] and presenting the disjointed collection as the product and index of the Puritan spirit, as language approved by the Puritan party. Others, of like sympathies, — describing his pamphlets only in general as "hateful libels," as "belchings so scurrilous that the authors might seem to have been rather scullions than pious and godly men,"[5] — have

[1] Pierce, 111.

[2] Nares, III. 67.

[3] "The Precisians" was a term applied in Elizabeth's day to those who desired a reform in the Church. It was grossly *mis*applied, and for the purpose of exciting odium. It has been perpetuated as synonymous with "Puritans," and with the odium attached. I have therefore taken the liberty to designate sticklers for the *precise* forms of the Church ritual by the same name. I have done so in violation of historical parlance, because the term was, and has continued to be, one of reproach; and because "the *punctilious* enforcers of conformity" were *really* the Precise men.

[4] Strype's Whitgift, 290, 298. Heylin's Presb., Book VIII. Sec. 26, 27.

[5] Camden, 421.

not hesitated in plain terms to charge their authorship upon the more prominent Puritans of the day,— Throgmorton, Wigginton, Travers, Cartwright, Penry, and Udal.[1]

We have given our extracts from Martin's Papers, that the sin thus laid at the Puritan door may be fairly understood; and that it may be fairly understood how great is the libel, if it be a libel, which the annalists referred to have deliberately written. Between the two, there is a sin,— upon the Puritans the sin of foul language, or, upon the partisan writers, the sin of wrongfully, and upon rumor merely, charging the other sin upon the Puritans. We cannot pass over this matter without inquisition.

We lay no stress upon the fact that Martin incidentally — and it would therefore seem to have been done without art — distinguishes between himself and the Puritan party as pointedly as between himself and the prelatic. Some instances in which he has done so we have given in his own words. Others we omit as unnecessary. Yet it is a circumstantial fact, which may perhaps corroborate other evidence. Such expressions indicate to a certain degree that the writer did not class himself with "the admirers of the discipline of Geneva," as Camden describes those with whom these tracts originated.

[1] Sir Geo. Paule, Sec. 62. Camden, 420. Strype's Whitgift, 289. Strype's Annals, VI. 94. Heylin's Presb., Book VIII. Sec. 24. Collier, VII. 73, and note. Hume III. 254, Appendix III. Nares, III. 342, note. Maskell, 100. Fuller (Book IX. p. 194) merely states in passing, and without giving his own opinion, that "John Penry and John Udal, ministers, were accused" — i. e. by common fame, a fact of which there was no doubt — "for making some of them."

But there are passages in Martin of more weight, some of which appear in his second tract. We mean his repeated declarations that the Puritans, particularly their preachers, disapproved of his writings.[1] Such public acknowledgments the writer would by no means have ventured if untrue, for his opponents would instantly have thrown the lie in his teeth. But more: these assertions are sustained. The very leaders among the Puritans whom Church writers have charged with being the authors of these pamphlets disavowed them distinctly, with the single exception of Travers, who was removed from the stage of controversy, being then Provost of Trinity College in Dublin.[2]

Mr. Throgmorton, in his "Defence" — which he published in the year 1594 — "against the Slanders of Matthew Sutcliff,"[3] says: "I will for my clearing therein (whensoever it shall be thought good by the State) willingly take this *oath*, as I have *before offered*, viz. that I am not Martin, that I know not Martin, and concerning that I stand indicted of, I am as clear as the child unborn."[4] We have already given Mr. Wigginton's declaration before the High Commissioners, — "I did neither make, write, nor print it," — Martin, — "nor any part of it, or see any part before it was printed."

In a letter to Lord Burleigh (Oct. 4th, 1590), Mr. Cartwright wrote, "I never had any hand, or so much as a finger, in the book under Martin's name. . . . . I am able to make good proof that *from the first beginning* of Martin unto this day I have con-

[1] "Epitome," 2 *bis*. "Hay any Work for Cooper," 9, 41; and in other tracts.

[2] Brook, II. 329.

[3] Ibid., 361.

[4] Waddington's Penry, 230.

tinually, upon occasion, testified both my mislike and sorrow for such kind of disordered proceeding."[1] Yet we are gravely told that "Cartwright was either of the council in the first design" of Martin's pamphlets, "*or without doubt* a great approver of them upon the *post-fact*";[2] that "he approved of them, and well knew the concealed writers, *who frequently* consulted him."[3]

When the first book of Martin came out, "Penry, understanding that some gave him out to be the author, wrote a letter to a friend in London, wherein he denied it in such terms as declare him to be ignorant and clear in it."[4] Penry also, when having death distinctly before him, declared himself to have been "falsely charged with the compiling of Martin Mar-prelate"; "denied that he had been *concerned* in writing those tracts."[5]

Mr. Udal, when on trial for his life, was yet more full and explicit. "For Martin and the rest of those books that you have named, they were *never* approved by the godly learned. And I am fully persuaded that those books were not done by any minister; and I think there is never a minister in this land that doth know who Martin is. And I, for my part, have been inquisitive, but I could never learn who he is."[6]

Such declarations from such men are worthy of

[1] Strype's Whitgift, Appendix, Book IV. No. I.

[2] Heylin's Presb., Book VIII. Sec. 24.

[3] D'Israeli, "Quarrels of Authors," 512, note (London, 1859).

[4] Udal before Lord Cobham and others; Howell, I. 1273. Hargrave, I. 169.

[5] Hanbury, I. 79, note. Maskell, 107, 108. Yet Mr. Hallam (125, note) has written, "Penry seems not to deny his concern in Martin Mar-prelate."

[6] Hargrave, I. 178. Howell, I. 1294.

consideration and confidence. He is a rare man who will impeach their word, and a dull man who does not perceive and appreciate the distinct points of their testimony. That the Puritans *universally* disapproved of Martin, we do not contend. It would have been strange indeed if, of so large a number, — all of whom had the infirmities of human nature, and many of whom were smarting all over from the severities of the ecclesiastical magistrates, — not one approved the style in which Martin whipped their persecutors. Thus Mr. Udal indirectly admitted that some good but *un*learned men might have commended Martin; and Mr. Fuller states that "*some* precise men of that side thought these jeering pens well employed."[1] But the prominent Puritan clergy were free from all complicity with Martin, and *never* gave him their approval. Nor was this all. They denounced him. They did so "then," upon the very appearance of his Papers. They did so in deliberative assembly, where, after solemn discussion of what Martin had written, they passed this resolution: "That, for many foul falsehoods therein suggested, such books were altogether unbeseeming a pious spirit to print, publish, or with pleasure peruse; which, supposed true both in matter and measure, charity would rather conceal than discover."[2] Once more. When Cartwright and eight

[1] Book IX. p. 193.

[2] Ibid. In recording this resolution, Fuller says, "I speak on certain knowledge from the mouths of such whom I must believe." As I have taken the liberty, for the sake of perspicuity, to paraphrase his account, I here quote his words, leaving the reader to judge whether, or not, I have represented them truly. "But the more discreet and devout sort of men, even such as were no great friends of the hierarchy, upon solemn debate *then* resolved that, for many foul falsehoods," &c.

other prominent Puritan clergy were on trial in the Star-Chamber, it was deposed by certain other Puritans in their behalf, "That the defendants have disallowed the immodest and scandalous writings of Martin."[1]

We might suppose that the testimony which we have thus displayed would be sufficiently clear and creditable to give satisfaction; at least sufficient to show that "the great Puritan leaders, when these tracts *first appeared*, spoke of them with deep dissatisfaction."[2] But we regret to say that it is not so. We regret to find that a modern Churchman can yet aver — whether blindly or perversely we assume not — that the chief Puritans were consenting to "the experiment" of Martin, and took no dislike to it "until dislike was produced by fear that their experiment was about to fail, — that it had overreached the mark and had disgusted men." We regret that he "does not *remember* that any disapproval was plainly expressed *at the time* by the Puritan leaders"; that he can only remember that "they disclaimed Martin *after*, before the Council-board, with the terrors in the distance of the Tower and the rack, or before the Court of High Commission."[3] This is only saying, that such men as Cartwright, Udal, and Penry — who were among the most distinguished of their day as scholars, as Christians, as Christian noblemen and Christian heroes — were double-faced timeservers; that before tribunals they were craven, and that they there stated what they knew to be false touching matters of fact. We

[1] Strype's Whitgift, Appendix, p. 166.

[2] Marsden, 198.

[3] Maskell, 101, 102.

are sorry to find that at this day — when the prejudices and antipathies of olden times have seemingly become obsolete, and the jaundiced vision of ecclesiasticism hale, when the Bishop of London, his Grace of Canterbury, and the queen herself, are manifesting the most catholic spirit towards dissenters — even one can be found so tainted with the spirit of bygone controversy, or so ignorant of historical records, as to publish such statements to the world.[1]

We should have done the Puritans wrong had we shrunk from an ample exhibition of Martin's scurrility. We should have failed to show how great is the stigma which has been attached to their name as originators or approvers of his books. We trust we have made it appear that in no degree, and at no time, were the Puritan leaders or the Puritans as a body responsible for his pen. If we have failed, it has not been for lack of witnesses.

[1] If I have been moved to heat, as I certainly have to a course of remark beyond my wont, yet I am sure that to do Mr. Maskell justice requires a power of language of which I am not master. I have not treated him as he treats Mr. Neal, by saying that his words "prove either his utter ignorance or his wilful lying," because I think such an opinion uncharitable and such language indecorous. But I am confident that I have not unfairly represented what Mr. Maskell says. On p. 216 he adds, "It is *acknowledged* that the Martin Mar-prelate tracts were connived at by the leaders of the Puritan party." We have a right to ask, — When? Where? By whom?

After the evidence which I have brought forward in the text, it is unnecessary to remark upon the statements of D'Israeli, "Quarrels of authors," 512, note, 518 note.

It is often charged upon the Puritans, that they chose "to scatter their scandalous pamphlets" just when the nation were threatened by the powerful forces of Spain; and that they thus lost the friendship of Leicester and Walsingham. (E. g. Collier, VII. 74.) Yet Leicester had died, and the Spanish forces had been shattered into fragments several weeks before Martin's first tract appeared.

We believe Martin when he says, "I am alone. No man under heaven is privy, or hath been privy, unto my writings against you."[1] We also believe him when he says, "Whosoever Martin is, neither thou nor any man or woman in England *shall* know while you live, suspect and trouble as many as you will."[2] We believe him, because the experiment in which he was engaged involved too great a risk to admit of partnership or confidant, for we think that, had he been discovered, he would have suffered, not the death of a felon, but the awful penalty of a traitor. We believe him, because, notwithstanding the vigorous efforts for his detection, his identity has never been proved, never even indicated. This it is hard to account for, unless, indeed, he wrought alone, and made nor man nor woman his confidant. We have cited plausible evidence that he was not a minister, and that he was not a Puritan, — we mean in distinction from a Brownist. Further we cannot go. With himself died his secret. Martin Mar-prelate remains a mystery. "Stat Nominis Umbra."

[1] "Hay any Work for Cooper," 41, 42. [2] Ibid., 12.

CHAPTER VIII.

THE PARLIAMENT OF 1588-9.

THE NATION RESTORED TO QUIET. — THE OPENING OF PARLIAMENT. — AN EXTRAORDINARY SUPPLY GRANTED BY THE COMMONS. — ABUSES OF PURVEYANCE AND IN THE COURT OF EXCHEQUER. — BILLS AGAINST THEM. — A COMMITTEE TO JUSTIFY THE BILLS TO HER MAJESTY AND TO URGE HER ALLOWANCE OF THEM. — HER REPLY. — CONFERENCES UPON THESE ABUSES BETWEEN THE LORDS AND THE COMMONS. — MOTION AGAINST GRIEVANCES IN THE CHURCH. — RETAINED AND RETURNED BY THE SPEAKER. — BILL AGAINST PLURALITIES. — DEBATE UPON IT IN THE HOUSE OF LORDS. — PARLIAMENT DISSOLVED. — REMARKS UPON THEIR PROCEEDINGS.

THE camp at Tilbury had been broken up. The troops under command of Lord Hunsdon had been disbanded. The armed ships had been moored and dismantled. "The Heart of the Court" — "that terrestrial Lucifer" — had been sent foully to his account. The queen, shedding a few hasty tears, had ordered the public sale of his goods to meet the claims of her exchequer;[1] and his Countess was already preparing for her nuptials with her reputed paramour.[2] The pulse of the nation, so lately throbbing with martial fervor, had subsided to its natural tone; and the voice of the nation had rendered its joyous anthem of praise. In the month of August, the queen had reassembled her Court at St. James's, whence, after a grand military review

[1] Rapin, II. 137. Carte, III. 629. "Lives of the Lord Chancellors,"
[2] Birch, I. 56, 74. Campbell's (First Series,) II. 146.

by way of welcome, she had retired to her manor at Richmond.[1] From the peasant to the prince, all had exchanged the harness of war for their ordinary garb; and each rill of life throughout the land had resumed its wonted and peaceful flow.

Her Majesty remained at her favorite retreat until the thirtieth day of January, 1588–9, when she returned to Westminster to be in readiness for the assembling of a new Parliament. She came in the evening, that she might give opportunity for one of those gay welcomes often mentioned in the annals of her reign, when the mayor, aldermen, and commoners of her city of London would come out on horseback, wearing velvet coats and golden chains, to escort her by torchlight to her palace.[2]

On the fourth day of February, with all that public pomp which we have before described,[3] she proceeded to the chamber of the House of Lords to open her Parliament. Sir Thomas Bromley, the late Lord Chancellor, had deceased on the twenty-ninth day of April, 1587,[4] and the Great Seal had been immediately transferred to the custody of Sir Christopher Hatton.

At the opening of the Parliament he stated that there was every reason to look for another hostile expedition from the king of Spain; and that therefore to the assembly of the wisest of the kingdom the question was now submitted, what ways and means should be provided for the com-

[1] Stow, 750, 751.
[2] Ibid., 751.
[3] *Ante*, Vol. I. pp. 371–373.
[4] D'Ewes, 419.

mon defence.[1] When the election of the Speaker of the Commons was ratified, the Lord Chancellor replied to his petitions, that her Majesty was pleased to grant them all. But he added an admonition against any unreverent and misbecoming speech in the discussions of the House;[2] and laid upon them her Majesty's special inhibition against any dealing with causes ecclesiastical.[3]

During the session, the Commons responded to the wants of the Crown for purposes of defence, by "granting to her Majesty a supply of four fifteenths and tenths and two entire subsidies," in four annual instalments;[4] "the first instance that subsidies were doubled in one supply."[5] The bill, however, was accompanied by this resolution: "That, as the grant of this contribution is greater than hath heretofore for the most part ordinarily used to be granted (the present necessity requiring it), *it should not hereafter be an occasion of a precedent to posterity* for the like without like cause."[6] Grave objections were made by many[7] to a supply so extraordinary.[8] But the House — their joy for the late deliverance of the nation, and their loyalty in prospect of renewed hostilities, raised to a high pitch of enthusiasm — were in no mood to weigh even

[1] D'Ewes, 420, 428. Hansard, I. 854.

[2] D'Ewes, 421. Hansard, I. 854.

[3] D'Ewes, 438.

[4] 31 Eliz., Cap. XV. Secs. I. & VI. Statutes of the Realm.

[5] Hume, III. 177.

For the nature and amount of subsidies and fifteenths, I refer the inquiring reader to Hume, III. 377–380, and to Hallam, 213, note.

[6] D'Ewes, 433.

[7] Strype's Annals, VI. 49.

[8] There was an elaborate speech against it, and one of much pertinence and force. Strype gives us a copy of it, Annals, VI., Appendix, Book II. No. LVIII.

the best objectional arguments. They passed the bill on the tenth day of March; and the next day it was sent up to the Lords.[1]

"The right of purveyance" — which we have before brought to notice only incidentally[2] — "was an ancient prerogative by which the officers of the Crown could at pleasure take provisions for the household from all the neighboring counties, and could make use of the carts and carriages of the farmers.[3] In former times, these supplies had been taken without remuneration, and the purveyors had ordinarily conducted themselves with so much rudeness, and even licentiousness, that upon their approach the farmers, with their families, had been accustomed to hide for protection in the forests.[4] For such abuses, this right of purveyance had been denounced by Parliament in the time of Edward III. as "an intolerable and outrageous grievance, and the source of infinite damage to the people."[5] In the time of Elizabeth, the mode of this arbitrary levy was so far modified, that a price was paid for the commodities seized, and for their compulsory transportation. But this price, instead of keeping pace with the rise of the market, was fixed and stated; so that the farmer in 1589 was forced to part with his produce for far less than its current value. In addition to this wrong, "the payment was often distant and uncertain";[6] the levy itself, both in kind and quantity, was often beyond the

[1] D'Ewes, 444, 445.
[2] *Ante*, Vol. II. p. 139, note 2.
[3] Hume, III. 178.
[4] Ibid., I. 218.
[5] Ibid., 608.
[6] Ibid., III. 178.

allowance of law; and, not unfrequently, black-mail was extorted for the benefit of the officer.[1]

Another abuse existed. Grievous wrongs had obtained in the revenue department. The officers of the Exchequer habitually extorted illegal fees from the queen's subjects; and these exactions were for their private benefit, "nothing tending to any further profit or commodity of her Majesty."[2]

The vigilant Commons now took these abuses in hand. A bill was introduced by Sir Edward Hobby "touching exactions by officers of the Exchequer"; and on the same day, another by Mr. John Hare, "against the great abuses of purveyors."[3] The latter was in lieu of a like bill which had passed the Commons at the last Parliament, was sent up to the Lords, and there dashed.[4] Each bill was discussed with becoming spirit, committed and amended.[5] It is noticeable that the Chancellor of the Exchequer was chairman of the committee to whom the bill touching that Court was referred, and that he cordially furthered its progress. Another chief officer of the same Court "did very willingly and honestly give his assent and good liking to the passing of the bill."[6] These two facts signally evince its justness and its popularity. In justification of the bill against the disorders of purveyors, it appeared in evidence that "those abuses were very many and very foul."[7] Both bills passed the House, and were sent up to the Lords.[8]

[1] Hume, III. 675, Note X.
[2] D'Ewes, 432, 446, 450.
[3] Ibid., 432.
[4] Ibid., 414, 433.
[5] Ibid., 434, 435, 437, 438.
[6] Ibid., 437, 438.
[7] Ibid., 448.
[8] Ibid., 440.

Their committee soon afterwards informed the Commons, that the Lord Treasurer had signified the queen's misliking of each bill.[1] Whereupon the House immediately appointed a committee to wait upon her Majesty to satisfy her concerning their dealings in both bills . . . . . "and also to search for such precedents as might best serve for that purpose."[2] The committee were particularly instructed to "exhibit unto her Majesty the *causes and reasons* moving the House to proceed in the two bills as they had done; which course was thought . . . . . *best to stand with the liberties and honor* of the House."[3] They were also directed to petition her Highness to *grant her allowance* of the said bills; and to say that they would gladly have taken any other course therein which might have been more agreeable to her Majesty.[4]

In replying to this delegation, her Majesty stated that she had ordered the late Lord Steward[5] to ascertain and redress the misdemeanors of purveyors in all places; but the proceedings had been interrupted by the late attempt of the king of Spain. She added, that having as much skill, will, and power to rule and govern her own household without the help of others as her subjects had to rule and govern theirs, it was her present intent, out of pure love and affection for her dutiful and loving subjects, to take advice — "Yea, and that before the end of this present session" — of her judges and learned Council for such a mode of

[1] D'Ewes, 440.
[2] Ibid.
[3] Ibid., 442.
[4] Ibid., 443.
[5] The Earl of Leicester.

redress as should prove more effectual than what the Commons had devised without her privity; whereby they would have bereaved her of the honor, glory, and commendation due to her own voluntary efforts. Touching the Exchequer, it was her chamber, she said, and so more near to her than the household; and that in the tenth year of her reign she had set down rules for the due regulation of such things as her subjects seemed to be grieved for.[1]

Having thus the royal promise to search out a mode for correcting the abuses of purveyors, and an implied promise that the rules for obviating exactions in the Court of Exchequer should be enforced, neither the Lords nor the Commons could take further action upon the bills without grossly reflecting upon the honor of the queen. There was further conference, however, between committees of both Houses, upon the subjects embraced in the bills; but these conferences were held after the bills had been concluded in the Commons, and "according to her Majesty's pleasure signified unto the Commons by their Speaker."[2] Her Majesty had been wary in her conference with the commit-

[1] D'Ewes, 444.

Mr. Hume gives a singular version of this address. By the *transposition* of a sentence, he represents the queen as promising to take counsel for securing the objects of both bills; whereas she made this promise only in reference to the abuses practised by her purveyors. He represents her as promising that the grievances complained of in both bills *should be redressed;* whereas she only promised *to take counsel* for redressing *one* class of them. He represents her as saying, that she "would not permit" the Commons to do as they had done; whereas she only complained that, by so doing, they were in a way to forestall her own action and the honor which might otherwise accrue to herself.

[2] D'Ewes, 448, 450

tee, so framing her speech as not to pledge her royal word for any reform at all. Thus she saved herself from any breach of promise; for she certainly gave no redress during her whole reign to the wrongs practised by her purveyors,[1] nor do we find that she did to those in the Exchequer.[2]

While doing all in their power to stay these civil abuses, the Commons were not unmindful of such as were ecclesiastical. On the twenty-fifth day of February, Mr. Damport (or Davenport)[3] called the attention of his colleagues to certain evils in the government of the Church; having special reference, we have reason to believe, to the tyrannical dealings of the Ecclesiastical Commissioners.[4] Sundry of her Majesty's good subjects, he said, suffered

[1] Hume, III. 675, Note X.

[2] D'Ewes says (p. 448) "that this House had been forbidden by her Majesty to deal any further therein," i. e. in these two bills. I think this is a mere conjecture, and without foundation. If she did so before the bills were passed, then her *special* inhibition was set at defiance; a defiance which must have produced commotion, and of which record would surely have been made. If she did so after the bills were passed, then the inhibition was derogatory to her royalty, for no further dealing *could* have been had unless the bills had been returned from the Lords with amendments; to prevent which, her Majesty took effectual measures.

D'Ewes says further (p. 450), "that these two bills were *stopped*," i. e. in the Commons, "by reason of her Majesty's dislike." This certainly is a mistake; for they had both passed the Commons, and had been sent up to the Lords *before* her Majesty's dislike was made known. (p. 440.) I find no evidence that the queen interfered at all until the bills had been sent to the Upper House.

We find it stated in Hansard's Parliamentary History (I. 857), that these two bills passed into laws this Parliament. *Where are the laws?* In the Parliament of 1592-3, we find it stated by Sir John Fortescue, that the oppressions by purveyors were not *then* mitigated. "Shortly (by God's grace) the queen *will* free her subjects from that trouble which hath come by means of purveyors." (D'Ewes, 473.)

[3] Townshend's Historical Collections, p. 20. Mr. Townshend was himself a member of this House.

[4] Hume, III. 178.

great hurt and grievances at the hands of some ecclesiastical governors whose mode of proceeding was contrary both to the purport of the laws and to the intent of those who framed them. He disclaimed all intent of making any new laws, or of repealing those now in force, of which he did not complain. He proposed only that some device should be framed by which the existing laws should be administered properly, and according to their true intent. For this purpose he offered a motion in writing, and asked that it might be read and committed for such further consideration and dealing as the House should judge proper. "Such an action," exclaimed a member, "will surely bring this House into trouble. We have had her Majesty's express inhibition, delivered by the Lord Chancellor at the beginning of this session, touching any dealing with ecclesiastical causes. This House will surely incur contempt to her Highness if, contrary to that inhibition, we deal in the matter now proposed." The Speaker, therefore, did not read the motion, but retained it three weeks. He then returned it to Mr. Damport when out of doors.[1] Thus no action was taken upon the motion. Not being laid before the House by the Speaker, no opportunity was given to second it, or to discuss it. There must have been some good reason, to us unknown, why the subject was not introduced again, and in some other form. But we cannot charge the future silence of the House herein to their want of courage. The reference to the queen's inhibition, however much it may have influenced

[1] D'Ewes, 438, 439. Strype's Whitgift, 279.

the Speaker, certainly did not intimidate *them*, for they immediately bearded that inhibition by introducing and carrying through a bill upon other ecclesiastical matters.[1]

Hopeless as was the prospect of "clipping the wings of the spiritual governors"[2] which Mr. Damport's motion contemplated, the Puritans in the Commons again sought to remedy "*the* great abuse of the Church of England, — pluralities,"[3] — not discouraged by their previous failure.[4] Two days after Mr. Damport's motion, a bill was introduced "for reformation of the great inconveniences grown by the great number of pluralities and non-residents." "After sundry arguments, many with and some against the bill," it passed the House, and on the tenth day of March was sent up to the Lords.[5] This bill, which was framed by Sir Francis Knollys, Mr. Mor-

[1] I have shaped this paragraph with particular reference to the remark of Mr. Hume (III. 178), that "no one durst second the motion." He has overlooked entirely the subject which I next introduce. Had he mentioned it, he would hardly have ventured, I think, to say, "no one durst." Mr. Hallam seems to coincide with Mr. Hume, by saying that the mention of the queen's inhibition "*prevented* them from taking any further notice of Mr. Damport's motion." (Hallam, 152.)

I notice also another statement of Mr. Hume in connection with this affair. He says that "some members of the House, notwithstanding the general submission, were even committed to custody on account of this contempt." I shall show that there was *no* "submission" by the House; and I am by no means satisfied that any of them were committed to custody. If any were, it is the first and only time when such a fact does not appear upon the Journal, and when it did not excite the Commons to inquiry and remonstrance. On this point, Mr. Hume refers to Strype's Life of Whitgift, and to Neal. But I cannot find a word of such a matter in Strype; and Mr. Neal makes the statement without citing any authority.

[2] Strype's Whitgift, 279.

[3] Hallam, 116, note.

[4] *Ante*, Vol. II. pp. 478 – 480.

[5] D'Ewes, 440, 444. Strype's Whitgift, 279.

rice, Mr. Beal, Sir Robert Jermin, and others,[1] did not propose to disturb any existing rights; in other words, it did not propose to disturb any parsons then in legal possession of more than one benefice. But it required that all who had any one benefice with cure of souls should reside thereon; that all who had already *more* than one such benefice should reside upon one of them; that, if voluntarily absent at one or several times so much as three months in the year (not being employed in the queen's service), they should forfeit ten pounds per month for every month exceeding three; and that for their other benefice or benefices they should maintain, for each, one competent preacher, under penalty of five pounds for every month's defect. It also provided, that if any person then having no such benefice should thereafter take more than one, or if any person, having at the end of the session one or more benefices with cure, should accept another, then immediately after possession there, his first should be void. It provided, however, that any person might take two small benefices with cure, being of sixteen pounds value, if within three miles of each other.[2]

Non-residence upon at least one half their cures was a necessity with all who held two or more benefices. Consequently, the spiritual wants of the people were to a like extent neglected, and the checks proposed by this bill were but reasonable and moderate. Yet its introduction to the House of Lords produced much sensation, and gave rise to a significant and racy colloquy. The Archbishop of Canter-

[1] D'Ewes, 441, 442.

[2] Strype's Annals, VI. 54.

bury held that the scheme was fantastical, and at war with the interests of the clergy and of learning, — considerations which he had urged during the Parliament of 1584–5,[1] but which had then been distinctly and sufficiently answered.[2] This bill brought him once more to his feet.

"Licenses for non-residence," said he, "are but seldom granted. But sometimes they are necessary, and for various reasons. Sometimes the incumbent, for his health's sake, needeth to reside elsewhere than where he hath spiritual charge. Sometimes he needeth to prosecute his studies for a time in the University. Sometimes he is fain to escape annoyance from some in his parish who bear him mortal enmity; and sometimes he is called away by being employed in public affairs. For these reasons such licenses cannot be wholly abrogated. But besides, one half of the benefices in England do not stand in the first-fruits book over ten pounds, and most of them under eight pounds. Therefore these parishes, because of the smallness of their livings, cannot be furnished with able pastors as the petitioners desire. They who make such a cry for a better ministry, ought to remember that England hath now a greater number of able ministers than ever before, and than all Christendom besides."

His Grace did not intimate that these small livings might easily be increased. He did not deign to notice that the Puritans, in a petition to the Parliament of 1584–5, had propounded a simple and practicable method by which sufficient livings for the maintenance of pastors in every parish might

[1] Strype's Whitgift, 279. [2] *Ante*, Vol. II. p. 478, note 5, p. 479.

be provided.[1] He did not say that the people were able and willing to supply the leanness of the livings by their voluntary contributions, and that in many cases they did so.[2] He did not see fit to notice that there were many suspended ministers who would be glad of the smallest of these livings could they hold them in peace.[3] Yet of all these things he was well informed. His assertion concerning the number of able ministers was tauntingly improved.

"If there be more learned ministers in the Church of England than ever heretofore," said Lord Grey, "nay, than in all the reformed Churches in Christendom, it is not to be attributed to *the bishops or their actions*, but to God, who now openeth the hearts of many to see into the truth. Besides, the schools are better observed."

Neither the petitioners for the bill, nor the people at large, complained that there was not a sufficient number of able ministers in England. But they did complain, had before complained, and had good reason to complain, that very many congregations had *none* to break to them the bread of life; that many of the incumbents were mere *reading* ministers, many of whom could hardly read intelligibly, and many of whom were immoral; that thus thousands of parishes were destitute of preaching and teaching;[4] and that, to a great degree, this deplorable destitution existed only because the mouths of

[1] Strype's Annals, VI., Appendix, Book I. No. XXXIX.; Articles IV., V., VI., VII.

[2] Lord Burleigh aided in these contributions. (Brook, II. 109, *bis.*) Several other instances of the kind are incidentally mentioned by Brook.

[3] Neal, I. 174.

[4] *Ante*, Vol. II. pp. 457–459.

good and able pastors were stopped by the bishops.[1] Indeed, to such an extent had their proscription been carried, that "there were only two thousand preachers to serve nearly ten thousand parish churches; so that there were almost eight thousand parishes without preaching ministers." A third part of the ministers of England were under suspension.[2]

Lord Burleigh made a long and able speech upon the bill. "I am not so scrupulous," said he, in conclusion, "as absolutely to like of the bill so far that I would admit of no pluralities at all, for I do both favor learning, and wish for it a competent reward. Therefore I could like and allow a man of learning to have two benefices, so they were both in one diocese."

At this point of the debate, it was signified that her Majesty was acquainted with the matter now before the Senate, that she was very forward to redress what was amiss, and that she required the bishops not to hinder her good and gracious purpose, for herself would confer with them. This intervention of the queen seems to have been occasioned by an appeal from the Convocation, which was dictated, if not written, by the Archbishop.[3]

The alarm expressed by the clergy, and the respect with which the bill was entertained by the temporal lords, show clearly that the evils which it sought to remedy were great and patent, and that it would probably have passed the Upper House in a modified form, had they been left to themselves. But the

[1] *Ante*, Vol. II. p. 458.
[2] Neal, I. 181.
[3] Strype's Whitgift, 280. Fuller, Book IX. p. 191.

queen's message stopped its further progress. A few more words transpired, not upon the bill, but upon her Majesty's purpose of conferring with the bishops.

"I marvel," exclaimed Lord Grey, "that her Majesty doth choose to confer with those who are *all enemies to reformation.* I therefore think it were well that we make choice of some of the temporal lords to be joined with the lords spiritual. Nay, I do rather wish the bishops might be served as they were in the days of King Henry VIII., whenas they were all thrust out of doors, being in case of *præmunire.*"

"If the bishops are wise," said the Lord Treasurer, "they will themselves be humble suitors to her Majesty to have some of the temporal lords joined with them in conference with her Majesty."[1]

So little respect did the bishops command from their peers! Flouted before the whole House for their inefficiency in supplying the spiritual wants of the realm, for their dogged opposition to all ecclesiastical reform, and for their utter unfitness to be counsellors of the sovereign in the affairs of the Church!

On the other hand, by the temporal lords the bill was received with deference and sympathy. In the same manner and spirit they had conferred with the Commons touching the abuses by purveyors and the officers of the Exchequer. So also had they con-

[1] I derive my account of these proceedings in the House of Lords from Fuller, Book IX. p. 190. He gives them under date of 1587. That he is wrong in this date, is evident from Strype's Whitgift, 279 – 281.

ferred with them in 1584 upon the articles of petition then presented for ecclesiastical reform; feelingly expressing their sorrow for the grievances set forth,[1] and "ready to aid with their best efforts for the reformation thereof."[2] From these facts — and from others which we have recorded — it is plain that the temporal peers rendered to the Puritans, when struggling for reforms, a respect and sympathy which they withheld from the prelates; that while by the latter, and by their partisan historians, the Puritans have ever been stigmatized as captious and seditious in their controversies with the Church, by the former they were cordially met as reasonable, peaceable, loyal, and honorable men.

After a request from both Houses, that the queen would be pleased to denounce open war against the Spanish king, the Parliament was dissolved on the twenty-ninth day of March, A. D. 1589.[3]

In sketching the proceedings of this House of Commons, we have hardly exceeded the bounds of simple narrative. In justice to those of whom we write, we are compelled to a brief review. The grand evil which engrossed their attention was *the abuse of power;* and against this they set their faces. Other Houses of Commons had rarely attempted more than to resist this evil in its ecclesiastical phases. But reiterated pleas for rights purely religious — the rights to which the attention of a religious people are soonest attracted — lead by natural consequence to the consideration and assertion of civil rights. Thus this House, edu-

[1] *Ante*, Vol. II. p. 464.
[2] D'Ewes, 345.
[3] D'Ewes, 454, 455. Strype's Annals, VI. 55.

cated by its predecessors, had so advanced in their perceptions of just liberty as to arraign not only the abuse of power in the administration of the Church, but even that abuse of power in the administration of civil affairs which most directly and evidently emanated from the Crown itself. They knew that the queen upon the very threshold of their congress had solemnly charged them, through her Lord Chancellor, not to touch her Church. They knew that she would resent their interference with her privy affairs. They knew her exquisite jealousy of her prerogatives. They knew her towering temper. They knew her well. But they also knew, and equally well, certain wrongs — though they did not fully understand the rights — of the people; that, in her name, gentry, traders, peasants, farmers, and carters were plundered of their goods, and defrauded of their very bread. These wrongs and *their* converse rights, they appreciated. They also knew — and in their very conscience felt — that they must therefore either be recreant to their high trust by dastardly muteness about these things, or brave the anger of their sovereign by approaching her prerogatives. They chose the latter.

In their proceedings we find no trace of intemperate or agitating debate; no disrespect for the queen; none for either branch of her government. Yet, with a manly courage becoming their English blood, they ignored the royal inhibition with its implied menace, braved the royal frown, deliberately stepped upon the precincts of her Church, her "household," and her "chamber"; passed the three bills for redress; and sent them to the Upper

House. No other House of Commons had ever done the like. In all this we perceive a temperate, honorable boldness; a boldness which we can but partly appreciate, because we can but faintly understand the mystery of that majesty and of that arbitrary power with which the throne was then encircled.

Nor was this all. The Commons neither abated their courage, nor modified their suit. When courteously informed, through the Lords, of her Majesty's displeasure, so far were they from apologizing, repenting, or retracting, that they proceeded to *justify* their action — face to face with royalty — by the citation of precedents, to sustain "the liberties and honor of the House," and to press upon their imperious sovereign the ratification of the very bills against which she had expressed her displeasure. We find here no signs of intimidation, none of abasement. We see nothing but a firm and dignified resolve to counteract, to the utmost of their ability, those oppressions of the Crown officials, in Church and State, which long usage had seemed to sanctify. If there *was* any "alarm," any movement toward a compromise, it was not on the part of the committee of the Commons, — for they yielded not an inch of their position, — but on the part of the queen herself, who had sagacity enough to read the attitude and to interpret the respectful firmness of those who addressed her; of the queen herself, who — without passing her word — *intimated* a purpose to remedy the wrongs presented in the bills; of the queen, who — so far as we can learn from the imperfect

records of the House — neither at this conference nor at the close of the Parliament expressed any indignation that the Commons had overleaped her inhibition touching the affairs of the Church. Not venturing to do so to a House so resolute, she treated them — perhaps influenced by the temper of the Lords in regard to the bill against pluralities — with that politic deference and courtesy for which she was sometimes remarkable, *dissolved* the Parliament, and reserved the expression of her indignation for another Commons, whom, perchance, she might more easily intimidate.[1]

[1] D'Ewes, 460, 469.

In describing the character of this House of Commons, I differ materially from writers of high repute, who unite in representing its members as distinguished for timidity and obsequiousness. On pages 317 and 318 of this volume I have sufficiently noticed Mr. Hume's remark, that "no one durst second Mr. Damport's motion." But he uses language far more disparaging and contemptuous. "In so great awe did the Commons stand of every courtier, as well as of the Crown, that they durst use no freedom of speech which they thought would give the least offence to any of them. Sir Edward Hobby showed in the House his extreme grief that, by some great personage not a member of the House, he had been sharply rebuked for speeches delivered in Parliament: he craved the favor of the House, and desired that some of the members might inform that great personage of his true meaning and intention in his speeches. The Commons, to obviate these inconveniences, passed a vote" — here is *another* transposition of Mr. Hume, as I shall show — "that no one should reveal the secrets of the House." (Hume, III. 179.)

Mr. Hallam also, — who I think must have relied upon Mr. Hume, — in a more respectful tone expresses a like opinion. "Instead of testifying indignation at this breach of their privileges, neither he nor the House thought of any further redress than by exculpating him to this great personage, apparently one of the ministers, and admonishing their members not to repeat elsewhere anything uttered in their debates." (Hallam, 152.)

I shall now cite the facts in this case, which these writers have insufficiently scrutinized.

When Sir Edward Hobby — on Friday, February 14th — brought forward his bill against exactions by officers of the Exchequer, he sustained it by a speech. The *next* day, —

Saturday, — upon his motion and by consent of the House, the Speaker gave formal admonition that speeches there uttered should not be bruited, or in any wise reported, out of doors. (D'Ewes, 432.) On *Monday* Sir Edward complained that this admonition had been disregarded; that his speech upon his bill then in progress had been reported, and *untruly*, to some great personage, not a member of the House, who had called him to account and sharply rebuked him for the same. He then prayed for the testimony of the House to the *untruthfulness* of the report, and for their good consideration of him and of his justification at this present time given by himself, — an act of justice accorded of old by the House in such cases, especially when involving "*the maintenance and preservation of the ancient liberties of the same.*" (Ibid., 433.) In other words, — as I apprehend it, — he desired them, by their testimony in his case, to take their stand for *the right of freedom of speech*, which had been impugned by the rebuke he had received.

This the House proceeded to do; not by any vote, — so far as appears by the record, — but by speeches from individual members, *justifying* Sir Edward *in toto*. In other words, they declared that he had a perfect *right* to say what he did say. (Ibid. 434.) Whether — quoting Mr. Hallam again — whether, by express words, they did or did not "testify indignation at the breach of their privileges" of which Sir Edward complained, does not appear in the journal. That it is silent upon this point proves nothing; for, as Mr. Hallam himself justly remarks, "we cannot rely upon negative inferences" — from D'Ewes' Journal — "as to the proceedings in Parliament at this period." (Hallam, 153, note.) But when we consider the earnestness with which Sir Edward's colleagues entered upon his case, and that the whole burden of their words was to *justify* his speech, — when, too, we observe that it was the gist of his appeal to them, that they would by their remonstrance defend the liberties of the House, — we can hardly suppose that they did not distinctly resent the *very* breach of their privileges to which their attention had been called.

However this may have been, Mr. Hume and Mr. Hallam are certainly in error on one important point, — in saying that the House sought *to redress the indignity* by their vote admonishing the members not to repeat elsewhere what transpired in their debates. I say, certainly in error; for this vote was passed two days *before* Sir Edward *made his complaint;* and, indeed, *before the report of his speech had given occasion* for complaint. (Ibid., 433.)

CHAPTER IX.

THE DIVINE RIGHT OF BISHOPS.

The first Sunday at Saint Paul's Cross after the Opening of Parliament. — Dr. Bancroft the Preacher. — For his Theme substitutes Puritanism for Christ and Him crucified. — He complains that the Puritans are borne with, while they sustain the Interests of the People. — Laity should yield their Judgment to the Clergy. — The Puritans "base, rascally, devilish, and Antichristian." — The Divine Right of Bishops, such as in the English Church. — The common Doctrine on this Subject sixty Years before. — Popular Indignation at Bancroft's Doctrine. — Remonstrance of Sir Francis Knollys. — His Appeal to Dr. Rainolds. — The Answer of Dr. Rainolds. — Bancroft's Theory discarded by the Council and Bishops.

1588-9.

Some six or seven thousand people were assembled in the churchyard of St. Paul's cathedral.[1] The Lord Mayor and Aldermen were there in their official robes. The "Companies" of the city were there in their liveries. Many of the bishops were there, some of the Privy Council, judges, Benchers, Knights of the Bath, lords and ladies, all in courtly array. It was on the ninth day of February, the first Sunday after the opening of the Parliament. The multitude were gathered for the worship of God. Pride of blood, pride of rank, pride of office, pride of display, shrunk to nothing for the moment while the stately service of the Church was read, when each solemn response rolled from the mighty voice of thousands,

[1] *Ante*, Vol. I. p. 170.

and when, with a movement like the sinking of a mountain wave, they bowed at the name of Jesus. The pomp of the world, the grandeur of nature, the voice of thunder, — how small beside the posture and voice of worship rendered to God, whether in the great congregation or in the closet! The squalid pauper, the little child, — at prayer in the name of His beloved Son, — are of more account with Him than courts, or crowns, or all the works of his hands.

This day the pulpit at Paul's Cross was occupied by Dr. Richard Bancroft, lately chaplain to his Grace of Canterbury,[1] but now chaplain to the Lord Chancellor Hatton.[2] He stood there in the character of an ambassador of Christ, whose office it is to cry aloud, "As though God did beseech you by us, we pray you, in Christ's stead, be ye reconciled to God!" With such an audience before him, what an opportunity! what responsibility! Yet, waiving themes of eternal moment, he spake chiefly of the odiousness of Puritanism, of the contemptible and dangerous character of Puritans.

"You see," said he, "into how desperate and dangerous a course they are fallen. Your *further bearing* with them *will not be well excused.* They are almost come from words to blows. Her Majesty is depraved, her authority is impugned, and great dan-

[1] Strype's Whitgift, 292.

[2] "Bibliotheca Scriptorum Ecclesiæ Anglicanæ; or a Collection of Tracts," &c. (p. 247.) By Rev. Dr. George Hicks. London, 1709. This collection contains the sermon which I notice in this chapter; a sermon which must have tested the patience of the hearers, for it occupies sixty-nine closely printed duodecimo pages. In my frequent references to it — as heretofore — I use only the name of the collector, — Hicks.

gers are threatened. Civil government is called into question. Princes' prerogatives are curiously scanned. The interest of *the* People *in kingdoms is greatly advanced*, and all government generally is pinched at and contemned. The Church is condemned, *the ancient fathers are despised*, your preachers are defaced. It is well to have geese and dogs for fear of thieves in the night; but if, without cause, they will gaggle and make a noise in the daytime, I think it very fit they be *rapt on the shins*. Even so it is with these our prophets and their adherents. Some of them are geese which only gaggle and cannot hurt. Others are dogs which both can bark and bite. And yet we see them maintained! But you that are magistrates ought rather to restrain them."[1]

We venture to elicit another prominent topic in this noted harangue. "Another sort of prophets there are, (you may in mine opinion call them false prophets,) who would have the people to be always seeking and searching. . . . . It hath ever been noted as a right property of heretics and schismatics always to be beating this into their followers' heads, —'Search, examine, try, seek'; bringing them thereby into a great uncertainty. . . . . It falleth not within the compass of every man's understanding to determine and judge in matters of religion; but of *those who are well experienced and exercised in them*. . . . . Read the Scriptures with sobriety. If any man, presuming upon his knowledge, seek further than is meet for him, besides that he knoweth nothing as he ought to know, he shall cast himself into a laby-

[1] Hicks, 302, 303.

rinth, and never find that he seeketh for. God hath bound himself by his promise unto his Church [?] of purpose that men by *her* good direction might in this point be relieved; and *to whose godly determination*, in matters of question, *her dutiful children ought to submit themselves*, without any curious or wilful contradiction."[1] "He is but of a mean conceit among the Puritans who will stick to say, 'Indeed, all the fathers are of this opinion, but I am of another judgment.' Were it not more agreeable to justice that the mouth of such a man should *by punishments be stopped, than by reasons repelled?*"[2] A higher theory of abject submission of opinion, or of punishment for the opposite, was never propounded in the worst days of the Romish Church.

Such were the words of one set to preach the Gospel of the grace of God. Such were the sentiments of one placed by authority as the representative of a *Protestant* Church; of one with thousands before him — thoughtless worldlings and famishing disciples — awaiting the teachings of the grace of God! It is painful and mortifying to record them. But it is necessary, that we may show the points of difference between the prelatic party of the day and their Puritan opponents. These were for the People; those, for the Aristocracy. These were for the Oracles of God; those, for the Fathers. These were for man's individual responsibility in the interpretation of the Oracles; those, for his blind submission to the word of the priesthood. The one party was for religious manhood; the other, for perpetual religious childhood. On this one point of studying

[1] Hicks, 271 – 273, *passim*. [2] Ibid., 261.

the Holy Scriptures we see no difference between the preacher at Paul's Cross and the vassal of Pius Sixtus. To whom is due the suffrage of *our* approval, — to the Churchman or to the Puritan? Is the Puritan of 1589 to be counted seditious, a stickler for trifles, contumacious, because he withstood those who withstood "the interests of the people" and the right to understand God's Word? Which of these parties commends itself to the Protestant judgment of the nineteenth century?[1]

We do not find that the Puritans were particularly moved by these and other like passages in this noted discourse, although the preacher did not hesitate to designate them as "a base and rascally sort of men,"[2] and their plan of church government "devilish and Antichristian."[3] Since Archbishop Whitgift's inaugural invective against "wayward fellows,"[4] they had been so much accustomed to wordy castigations in public, that they had ceased to wince under them. Yet the only *doctrine* announced by Dr. Bancroft upon this occasion produced no small stir, not only among Puritans, but among Churchmen. The substance of the doctrine will sufficiently appear by a few quotations.

"St. Jerome saith, that ever since St. Mark's time the care of church government hath been committed unto bishops, and that they have authority over the rest of the ministry.[5] . . . . . Bishops have the government of the churches in their several dio-

[1] Compare the language of Peter Wentworth and Robert Beal on this point, *ante*, Vol. II. pp. 29, 414, 415.

[2] Hicks, 302.

[3] Ibid., 291.

[4] *Ante*, Vol. II. pp. 353, 354.

[5] Hicks, 256.

ceses; men *by God's approbation* allowed and honored.[1] . . . . . At *the first*, bishops had authority given them over the rest of the clergy.[2] . . . . . Augustine ascribeth it to Aerius as an *heresy* in that he said there ought to be no difference betwixt a priest and a bishop.[3] . . . . . Either before or in Ambrose's days, it was condemned as an *heresy* for any to hold that opinion" — of Aerius.[4] . . . . . "Master Calvin, upon Jerome's report, seemeth to confess that bishops have had this authority which Martin" — Mar-prelate — "condemneth, ever since the Evangelist St. Mark's time. Besides, in the most flourishing time of the Church that ever happened since the Apostles' days, ... Martin's and all his companions' opinion hath herein been condemned for an *heresy*."[5] It is to be observed, that no attempt was made to

[1] Hicks, 257.
[2] Ibid., 312.
[3] Ibid., 259.
[4] Ibid., 309.
[5] Ibid., 291.

In the course of his sermon, Dr. Bancroft repeatedly handled Martin Mar-prelate's two tracts, — the only ones then published. He took pains to confute, as well as he could, their statements respecting the parity of the clergy, and to expose what he called their "boldness, malice, or ignorance." It seems, therefore, not only that Martin had produced a great sensation, but that some of his positions were thought sufficiently grave and plausible to merit discussion before so large and courtly an audience.

For the sake of a parenthetical inquiry of some interest, I quote another passage of this sermon. "The lay factions say our preachers ought to conform themselves to the example of Christ and his Apostles; of their Master, who had not a house to put his head in; of the Apostles, who had neither silver, nor gold, nor goods, nor revenues. . . . . Even as though one should say unto you, my brethren of the poorer sort, 'These gentlemen and wealthier sort of the laity do greatly abuse you. The children of God (you know) are heirs of the world; and those thing which the wicked have, they enjoy by usurpation. The earth is the Lord's and the fulness thereof. You have an equal portion with the best in the kingdom of God; and will you suffer this unequal distribution?'" (Hicks, 262, 263.) My query is this: Is not this *supposititious* reasoning of Dr. Bancroft *the origin*, and the *sole*

sustain this doctrine by the Word of God. The ancient Fathers were the only authority invoked.

By the watchful audience at St. Paul's the preacher was fairly understood to assert that bishops — such as were then in the Church of England — governed the Church and the inferior clergy *jure divino*, by a right inherent to their office and *derived from God alone*;[1] that without such a hierarchy there could be no true Church; that except from such as bishops of the Church of England there could be no true ordaining to the Gospel ministry; that, of course, neither obedience nor reverence was due to any who, without such ordination, exercised the functions of that ministry; and that the denial of these propositions was heresy.[2] These were only the ecclesiastical relations of the doctrine. It had others — political and personal.

Sixty years before, at the very dawn of the English reformation, *ecclesiastically* considered, it had been challenged and resented with a spirit becoming the Anglo-Saxon blood. Beneath the surface of society, wherever the *spiritual* reformation had been wrought by the hidden leaven of the Word, a repressed but mighty current had set against it. A prelate, attempting to remand this flood, was God's chosen instrument to let it loose. "Have bishops an authority ecclesiastical which is derived from God alone? Then, to them only belongs the management of ecclesiastical affairs and persons; in this

origin, of the tradition — perpetuated alike by declaimers in our Capitol and by penny-a-line writers — that such was the sober creed of the *original Puritans*, and the creed upon which they practised?

[1] Strype's Whitgift, 292.

[2] Marsden, 221, 223, 224

their divine jurisdiction they are not amenable to human law, but are accountable only to God; and the laity ought blindly to adopt each formula of doctrine and worship which the priesthood may prescribe, and to render mute obedience to all their religious commandments." Such were legitimate inferences from the doctrine; and it was upon this doctrine, and with an intimation of these inferences, that John Fisher, Bishop of Rochester, took his stand in the House of Lords, — 21 Henry VIII., — when resenting an attempt by the Commons "to regulate the abuses which the laity received from the clergy."

"My lords!" said he, "are all vicious, all idle, all ravenous and cruel priests? And for such as are such, are there not laws provided already against them? Is there any abuse that WE do not seek to rectify? . . . . . Are not *clergymen* to rectify the abuses of the clergy? . . . . . If WE be not executive in *our* laws, let each man suffer for his delinquency; or if WE have not the power, *aid* us and we shall give you thanks. . . . . My lords! beware of yourselves and your country. Beware of your Holy Mother, the Catholic Church. The people are subject to novelties, and Lutheranism spreads itself amongst us. . . . . Except ye resist manfully, by your authorities, this violent heap of mischiefs offered by the Commons" — to us, the clergy, — "you shall see all obedience first drawn from the clergy, and secondly from yourselves; and if you search into the true causes of all these mischiefs, you shall find that they do arise through want of faith" — in the religion which WE teach.

Thus a right of exemption from Parliamentary control, and the right to command the obedience and the faith of the laity, were claimed for the clergy in virtue of *their office;* it being presupposed as an axiom, though not expressly stated by the bishop, that this their office and these their prerogatives were derived from God *alone.*

"My lord of Rochester! many of these words might have been well spared," replied the Duke of Norfolk; "but I wist it is often seen that the greatest clerks are not always the wisest men."

"My lord! I do not remember any fools in my time that ever proved great clerks."

When the speech of the Bishop was made known in the House of Commons, there was much excitement. They at once suspended their deliberations upon the bills for the reformation of clerical abuses, and gave way to a member — a "gentleman of Gray's Inn" — who spake with great power against the pretensions of the Bishop of Rochester; and, with a boldness unknown and startling at the time, "claimed for the laity a reasonable liberty to judge of things in opposition to the priests, "who," said he, "labor, betwixt invitations and threats, for nothing more than to make us resign our faith to a simple obedience, — to renounce daylight to study only by their candle."

This speech so roused the Protestant temper of the House, that they immediately made a formal complaint against the Bishop to the king. It was presented to his Majesty *viva voce* by their Speaker Audley, attended by a deputation of thirty members.

"Sire!" said he, "we are accused of being with-

out faith, as if we were infidels or heretics. We consider ourselves grievously injured thereby. We demand an apology for such offensive language."

The king sent for Rochester. "Why have you spoken in such a manner?"

"Sire, being in Parliament, I did but speak my mind freely in defence of the Church, which is daily injured and opposed by the common people. *It is not their office to judge of her manners*, much less to reform them."

"Use your words more temperately another time," said Henry; and they parted.

The Commons resumed their deliberations; and, being resolved that a reformation of the clergy was necessary,[1] passed three bills for that purpose, "in spite of all their outcries." "Thus was struck the first effectual blow, in the House of Commons, against the *jus divinum* of the hierarchy."[2]

[1] When the subject of such reform was first agitated in the Commons, "the clergy were in consternation. The power of the nation seemed to awaken in this Parliament for the sole purpose of attacking the power of the priest. It was important to ward off these blows. The Convocation . . . . therefore decreed that priests should no longer keep shops or taverns, play at dice or other forbidden games, pass the night in suspected places, be present at disreputable shows, go about with sporting dogs, or with hawks, falcons, or other birds of prey on their fist, or, finally, hold suspicious intercourse with women. Penalties were denounced against these various disorders; they were doubled in case of adultery, and still further increased in case of more abominable impurities. Such were the laws rendered necessary by the manners of the clergy. But these measures did not satisfy the Commons." (D'Aubigne, V. 494.)

The "manners" of the knights and gentlemen were no better. "Most commonly all of them lived so incontinently, having their concubines openly in their houses with five or six of their children, and putting from them their wives, that all the country therewith were not a little offended and took evil example of them"; — i. e. were drawn to evil by their example. (Hardwicke State Papers, I. 21; Thomas Leigh to Thomas Crumwell, Aug. 1536.)

[2] Hansard's Parliamentary His-

The spirit and sentiments of the Commons in 1530 had been perpetuated; and when the fox again broke cover at Paul's Cross in 1589, the indignant people again gave tongue. "General dissatisfaction and much uproar" followed.[1] The press proclaimed "the untruths and slanders" uttered by Dr. Bancroft.[2] Scholars controverted his position, many of the clergy were offended, and statesmen uttered the cry of alarm.[3] Some "would have the preacher brought into a *præmunire* for saying that any subject in the realm had superiority over the persons of the clergy other than from and by her Majesty's authority."[4] Elizabeth's cabinet at once perceived that such a doctrine, uttered at such a place and before such an audience, if not rebuked, would be viewed as a virtual excommunication or abnegation by the English Court of all reformed churches not episcopal; and that thus the sword intended to hew down the Puritans would cut the queen's most important allies. As statesmen, therefore, — perhaps otherwise, — they entered their protest at the Council board.[5]

But Sir Francis Knollys with much earnestness urged another point, — the conflict of Bancroft's doctrine with the queen's supremacy. More than two years before, in giving his opinion as a Privy Councillor upon another matter, he had stated that, in his view, "the magistracy and lordship which the bishops had over their brethren was derived

tory, I. 502–507. Blackstone, I. 20, note. D'Aubigne, V. 495.

[1] Maskell, 162.

[2] Ibid., 163. Strype's Whitgift, 349.

[3] Strype's Whitgift, 292. Neal, I. 186. Marsden, 224.

[4] Neal, I. 186.

[5] Marsden, 224.

from her Majesty's temporal sword; that thus their rule was temporal," — of politic *human* appointment, — "and not spiritual, by virtue of popish canons."[1] Early in 1588–9, he delivered into the hands of the Lord Treasurer a Paper (drawn up by another hand) in which his views were sustained by the writings of Cyprian and Jerome of the ancient Fathers, and by those also of modern times, as Calvin, Musculus, Beza, Zanchy, and others.[2] Again, in the month of August, he wrote to him: "I do not deny that bishops may have lordly authority and dignity, provided they claim it not from a higher authority than her Majesty's grant. If the bishops are not under-governors to her Majesty of the clergy, but superior governors over their brethren by God's ordinance, it will then follow that her Majesty is not supreme governor over her clergy."[3] He also addressed a letter to Dr. John Rainolds, of Oxford, desiring his opinion of Dr. Bancroft's doctrine, — a man, whose knowledge of ecclesiastical history and of the ancient Fathers was not equalled by that of any one in the kingdom. By the *true* Protestant, — the man who, *without* "swearing he knoweth more than all the ancient Fathers,"[4] bows only to the Scripture as his rule of faith and of conduct, religious and moral, — the authorities upon which Dr. Bancroft rested his doctrine of the divine right of bishops will not be admitted as suf-

[1] Strype's Whitgift, Appendix, Book III. No. XXXIV.

[2] Strype's Annals, VI., Appendix, Book II. No. LXVII. Compare Strype's Whitgift, 350, Appendix, pp. 129, 130.

[3] Strype's Whitgift, 311–313; Annals, VII. 6–9. Hallam, 126, note.

[4] Hicks, 283.

ficient; for upon this point he did not adduce a syllable of Holy Writ. To those who regard the opinions of the ancient Fathers as a rule of faith and practice, we submit extracts from Dr. Rainolds's letter in reply to Sir Francis Knollys.

Dr. Bancroft had said: "The opinion of Aerius, that there was no difference by *the Word of God* betwixt a priest and a bishop, was pronounced by Epiphanius to be full of folly."[1] "Though Epiphanius," wrote Dr. Rainolds, "does say that Aerius's assertion is full of folly, he does not disprove his reasons *from the Scripture*." Of course, he had not *met* the assertion of Aerius.

Dr. Bancroft had said: "It appeareth in Epiphanius, that, with a general consent of the whole Church, the opinions of Aerius were overthrown, and he himself was condemned for an heretic."[2] On this point Dr. Rainolds wrote: "As for the general consent of the Church, which, Dr. Bancroft says, condemned Aerius's opinion for heresy, what proof does he bring for it? It appears, he says, in Epiphanius. But I say it does not; and the contrary appears by St. Jerome and sundry others who lived about the same time."

Dr. Bancroft had stated that St. Augustine had styled Aerius a heretic, because of his doctrine of the equality of the clergy.[3] "I grant," wrote Dr. Rainolds, "that St. Augustine, in his book of heresies, ascribes this to Aerius for one (that he said there ought to be no difference between a priest and a bishop), *because* this was to condemn the Church's order, and to make a schism therein. But it is quite

[1] Hicks, 258. [2] Ibid., 259. [3] Ibid.

a different thing to say that by the Word of God there is a difference between them, and to say that it is by the order and custom of the Church, which is all that St. Augustine maintains."

Dr. Bancroft had also declared that Calvin himself "seemed to confess to the opinion of St. Jerome," that bishops had had superior authority over the rest of the clergy ever since the time of St. Mark the Evangelist."[1] To this Dr. Rainolds replied: —

"As for the Doctor's saying that St. Jerome, and Calvin from him, confessed that bishops have had the same superiority ever since the time of St. Mark, I think him mistaken, because neither Jerome says it, nor does Calvin seem to confess it on his report; for bishops among us may do sundry other things besides ordaining and laying on of hands which inferior ministers may not. Whereas St. Jerome says, 'What does a bishop, except ordination, which a priest does not?' — meaning that in his time bishops had only *that* power above the priests; which Chrysostom also witnesses. Nor had they this privilege alone in all places, for in the Council of Carthage it is said that the priests laid their hands with the bishops on those who were ordained. And St. Jerome, having proved by Scripture that in the Apostles' time bishops and priests were all one, yet granteth that afterward bishops had that peculiar to themselves somewhere, but nothing else. So that St. Jerome does not say, concerning the superiority in question, that bishops have had it ever since St. Mark's time.

"Nor does Calvin confess it. He says that 'in old

[1] Hicks, 291.

time ministers chose out one of their company in every city, to whom they gave the title of bishop. Yet the bishop was not above them in honor and dignity, but, as consuls in the Senate propose matters, ask opinions, etc., etc., and so guide the whole action, and by their authority see that performed which was agreed on by common consent, the same charge had the bishop in the assembly of ministers'; and having showed from St. Jerome that *this* was brought in *by consent of men*, he adds, that '*it* was an ancient order of the Church even from St. Mark.' Whence it is apparent that the order of the Church he mentions has relation to that above described, in which he affirms 'that the bishop was not so above the rest in honor as to have rule over them.' It follows, therefore, that Calvin does not so much as seem to confess of St. Jerome's report, that ever since St. Mark's time bishops have had a ruling superiority over the clergy.

"Besides, *all that have labored in reforming the Church for five hundred years* have taught that *all pastors*, be they entitled bishops or priests, *have equal authority and power by God's Word;* the Waldenses, Marsilius, Patavinus, Wickliffe and his scholars, Huss and the Hussites, and, last of all, Luther, Calvin, Brentius, Bullinger, and Musculus. Among ourselves we have bishops, the queen's professors of divinity in our Universities, and other learned men *consenting* herein, — as Bradford, Lambert, Jewel, Pilkington, Humphreys, Fulke, etc. But what do I speak of particular persons? It is *the common judgment* of the Reformed Churches of Helvetia, Savoy, France, Scotland, Germany, Hungary, Poland, the Low

Countries, and *our own*. I hope Dr. Bancroft will not say that all these have approved that for sound doctrine which was condemned by the general consent of the whole Church for heresy in a most flourishing time. I hope he will acknowledge that he was overseen when he avouched the superiority which bishops have among us over the clergy to be God's own ordinance."[1]

Sir Francis Knollys is supposed to have been "the first Englishman of note who espoused that wayward sect," the Puritans. Although Queen Elizabeth detested Puritanism, and Knollys Episcopacy, from the commencement of her reign he stood high in her esteem and confidence. She had bestowed upon him, in 1566, the Order of the Garter, and had appointed him successively to the offices of Vice-Chamberlain and Treasurer of her Household, and we have had frequent occasion to mention him as one of her Privy Council. She had thus distinguished him, maugre his zealous and outspoken Puritanism, not because of his family connection with herself,[2] but for a better reason. We give her

[1] Neal, 186, 187, note.

[2] I have received a polite note from President Woolsey of Yale College, in which he urges strong points — from dates and otherwise — which, so far as I can judge, convict me of a mistake in my note 1, Vol. I. p. 180, where I assert that Sir Francis Knollys was related *by blood* to Queen Elizabeth. Dr. Woolsey's reasons for his criticism — which are somewhat extensive — I think are sound. I have accordingly modified my language in the text now before the reader. Without going into any genealogical investigation of the matter, which Dr. Woolsey, in his kind courtesy, has done with great accuracy and labor, I have probably been misled by the peculiar language of Lloyd and of Sir Francis Knollys himself, which I have quoted in the note to which I refer. In accounting for this language Dr. Woolsey says: "I think, then, Knollys, when he speaks of *nature*, must mean affinity, as if his wife's relatives were his own. Lloyd

own words. "Now when the wit of the fox is everywhere on foot, so as hardly a faithful or virtuous man may be found, I have promoted Sir Francis Knollys because *he* is an *honest* man."[1]

At first Elizabeth was vexed that Sir Francis should have controverted the doctrine of Dr. Bancroft,[2] for she herself was pleased with it, and was inclined to stand its godmother. "But her more cautious advisers seem to have prevailed, and Bancroft's theory of the episcopate was suffered to fall into neglect."[3] Indeed, it was without an advocate even among the bishops themselves, who "forsook their claim of superiority over their inferior brethren to be of God's own ordinance, and did only claim superiority over them from her Majesty's supreme government."[4] Although in his controversy with Cartwright Dr. Whitgift had claimed "in plain words, that 'the superiority of bishops was God's own institution,'"[5] and although his biographer was "apt to believe that for the preaching of this sermon Dr. Bancroft had the instructions of the Archbishop,"[6] yet even his Grace seems to have abandoned his former opinion,[7] and to have said that "he

may speak the literal truth of the Knollys family *after* Sir Francis."

I take this opportunity to say I cannot flatter myself that, in a work involving such extensive and perplexing research, and into which I have been drawn unawares, I may not have fallen into mistakes of a more serious kind than that designated by Dr. Woolsey. Any notice of such errors, from whatever source, I shall gratefully receive, and shall be happy to correct, so far as in my power. Sir Francis Knollys died in 1596. (Nares, III. 457.)

[1] Nares, III. 458.

[2] Knollys to the Queen; Strype's Whitgift, 352, and Annals, VII. 9.

[3] Marsden, 224.

[4] Strype's Whitgift, 389. Neal, I. 187.

[5] Strype's Whitgift, 342, 350, 389.

[6] Ibid., 292.

[7] "It is no sufficient recompense of the Archbishop to *say* barely that he does not claim, *at this present*,"

rather wished than believed the doctrine to be true."[1] An abortive attempt was soon made to obtain "a general subscription throughout the land, not only of the ministry, but of all whatsoever bear any public office, that the authority of bishops was lawful by the Word of God. It was brought to the Lord Treasurer to subscribe to it, who should snub it, saying that 'it was lawful by the positive law, but to say that it was lawful by the Word of God, that was another matter.' And so there the matter stayed. *How long* it will there rest," added our deponent, "God knoweth." Prophetic![2]

The reasoning of Sir Francis Knollys was sound, — that, if such bishops as were in his day derived their authority from divine *appointment*, then, in exercising their jurisdiction, they were independent of the civil magistrate, and above the law of the land. And, as Dr. Bancroft stated in reply to Sir Francis,[3] the same reasoning holds good touching the Presbyterian system of government. The same, also, touching the Independent or Congregational system. The only questions which arise are, whether God in his Word *has appointed any* particular system of government for his Church? and whether to its officers or members he has deputed any but powers *purely spiritual?*

Being Protestant in the largest sense, we look with indifference upon the disagreement between Dr. Ban-

— A. D. 1590, — "a superiority over the inferior clergy from God's own ordinance, unless he will also retract" — publicly — "his claim" advanced in his controversy with Mr. Cartwright. (Strype's Whitgift, 350, 389; Knollys to Burleigh.)

[1] Neal, I. 187. Marsden, 224.

[2] Birch, I. 62; an unknown writer to Mr. Bacon.

[3] Strype's Whitgift, 294.

croft and Dr. Rainolds about the opinions of ancient and modern Fathers, except that the carelessness and blunders of the prelatic champion are so conspicuous and significant. And, however uninteresting this topic may be to the general reader, yet when we consider that it was at the time a grand subject of controversy between the Puritans and the Precisians, and when we consider the high ground assumed by ultraists of the latter class at the present day, it is a matter of some historical interest and importance to collate evidence so clear, that in the young years of the reformed English Church "the divine right" was not only denied by the Puritan, but by all, or nearly all, the laity, the common clergy, and the prelates who denounced him, for other matters, as a schismatic. On *this* point, "the *common judgment*" of his country was with him, and "the common judgment" of the Reformed Churches abroad.

The range within which ordination was considered valid in the Church of England in Elizabeth's day — a topic involved in Bancroft's doctrine — we have before shown.[1]

[1] *Ante*, Vol. II. pp. 98 – 113; Vol. III. pp. 59 – 61.

CHAPTER X.

CARTWRIGHT AND THE NEW DISCIPLINE.

THE RHEMISH TRANSLATION OF THE NEW TESTAMENT. — THOMAS CARTWRIGHT SOLICITED TO CONFUTE IT. — HIS RETURN TO ENGLAND. — HIS ARREST, IMPRISONMENT, AND RELEASE. — INTERVIEW BETWEEN CARTWRIGHT AND WHITGIFT. — CARTWRIGHT PREFERRED TO THE HOSPITAL AT WARWICK. — SUMMONED TO ANSWER CHARGES. — DISMISSED WITHOUT CENSURE. — FORBIDDEN TO PURSUE HIS CONFUTATION OF THE RHEMISH TESTAMENT. — PERSISTS IN IT AT INTERVALS. — HIS CONNECTION WITH THE PURITAN "BOOK OF DISCIPLINE." — THE SUBSCRIPTION TO THAT BOOK. — SUBSCRIBERS TO IT; MANY OF THEM CONFORMISTS. — THE NATURE AND DOINGS OF THE PRESBYTERIAN "ASSEMBLIES."

1585–1589.

IN the year 1582[1] the Romanists, annoyed by the influence of the Bible in the English tongue, and finding it impossible longer to withhold it from the common people, published an English version of the New Testament. But this was not a translation from the original Greek, — which they pretended had been corrupted,[2] — but a translation of a Latin translation called the Vulgate, containing, as every Biblical scholar knows, many corruptions and defects.[3] The object of issuing this English

[1] Horne's Introduction, II. 246.

[2] Strype's Annals, VI. 289.

[3] The original of the Vulgate version of the entire Scriptures was probably made in the second century. But before the close of the fourth century it had become much corrupted by the errors of transcribers. About that time Jerome undertook to correct these errors by translating from the original languages of the Bible into the Latin. His version, far superior to all preceding ones in the Latin tongue,

version — called the Rhemish translation, because issued from the English Seminary at Rheims[1] — was to bring the Protestant English version into disrepute, and to insinuate, not only by its inaccurate text, but by its marginal annotations, the corruptions of the Church of Rome.

It was evident that the errors and sophistical comments of this book ought to be fully and publicly exposed. Queen Elizabeth requested Beza — then residing at Geneva as Calvin's successor[2] —

received the approbation of Pope Gregory I. about the beginning of the seventh century; since which time it has been adopted by the Romish Church, under the name of the Vulgate Version. A decree of the Council of Trent declared it "authentic," — a vague term, — and ordered that no other version should be read in public or be appealed to as authority. "Upon this ground," says Bishop Lowth, "many contended that the Vulgate Version was dictated by the Holy Spirit; at least was providentially guarded of all error; was consequently of divine authority, and more to be regarded than even the original Hebrew and Greek texts. And in effect, the decrees of the Council, however limited and moderated by the explanation of some of their more judicious divines, has given to the Vulgate such a high degree of authority that . . . . the translation has taken place of the original."

In process of time Jerome's version became exceedingly corrupted by the errors of transcribers, so that it was found necessary to publish a corrected edition. This was done by several divines of Louvaine, who published their version in 1573. But even this corrected edition — from which the Rhemish translation was made — was pronounced incorrect by Pope Sixtus V., who ordered a new revision, to which he also devoted much labor himself, and the proofs of which he read when published in the year 1590. He pronounced *this* edition to be the *authentic* Vulgate; and ordained its adoption as such by the whole Church. But Pope Clement VIII. declared it to be exceedingly incorrect, suppressed it, and published *another authentic* Vulgate in the year 1592. Thus different infallible Popes have pronounced different editions of the Vulgate to be correct; which editions have differed largely from each other, in additions, omissions, contradictions, and other points. Still the Vulgate has been undeservedly depreciated by Protestants; for "it is, in *general*, a faithful translation, and sometimes exhibits the sense of Scripture with greater accuracy than the more modern versions." (Horne's "Introduction," II. 196 – 202.)

[1] Strype's Annals, VI. 287.

[2] Middleton, II. 364, 365.

to prosecute the task. But he declined it, replying that one of her own subjects, Thomas Cartwright, was far better qualified for it than himself.[1] Sir Francis Walsingham then wrote to Mr. Cartwright, an exile from his country since the order for his arrest in 1573,[2] urging him to write a Confutation of the Rhemish Testament, sending him from his own purse one hundred pounds for the purchase of books and for other expenses of the work, and assuring him of such further aid as might be necessary. This was in the year 1583; and it is intimated that the Secretary's action was with the knowledge and approval of the queen.[3] At the same time Mr. Cartwright was solicited to the same work "by the most learned men of the University of Cambridge," and by the clergy of London and Suffolk.[4] Before being thus addressed, Mr. Cartwright was well aware of the importance of the undertaking proposed, and was doubtless

[1] Middleton, II. 331. Pierce, 101. Brook, II. 148. Marsden, 171.

[2] *Ante*, Vol. I. pp. 452, 453.

[3] Publisher's Preface to Cartwright's "Confutation." Fuller, Book IX. p. 171.

[4] Publisher's Preface.

I have a translation of their letter from the original Latin; and have been strongly tempted to insert it here; not only because of its elegance of style, but because it shows the profound respect in which Mr. Cartwright was held by the most accomplished scholars of his day. But my limits oblige me to omit it. I find it in the Publisher's Preface to Cartwright's "Confutation of the Rhemish Testament." The copy of this work from the Preface to which I have made the above extract is of the first edition ever published. It was printed in the year 1618, thirteen years after Mr. Cartwright's death. It is the only copy which I have been able to find, and has been furnished to me by the voluntary courtesy of the Rev. George Allen, of Worcester, being one of the volumes of his choice private library. It is a folio of 778 pages, very compactly printed; and is the best specimen of the typography of those times which I have seen.

conscious of his own ability to prosecute it; "yet humility and modesty made him stay until he was in some sort enforced unto the labor."[1] After receiving these several appeals, how could the exile refuse? "He buckled himself to the employment, and was very forward in the pursuance thereof";[2] for while engaged in it "he allowed himself but five hours' sleep in the night, rising at two o'clock in the morning to resume his labors."[3]

Early in the summer of 1585, — as nearly as we can ascertain, — three men in clerical garb were passing from a small vessel, which had just been moored at one of the quays in London. Two of them were in friendly attendance upon the third, a man of about fifty years of age,[4] whose countenance indicated a large intellect and a cheerful heart. He was pale and emaciated, and his step was feeble, like that of one "in a weak and languishing condition."[5] But the fire of his eye was not abated, and the tones of his voice, like the mild smile upon his face, betokened alike a grave and a genial spirit. He proceeded but slowly, relying upon the arms of his friends for that support which his own limbs refused him. Yet his words and looks were of gladness, and even of merriment, — such as you might expect from one who for more than ten years had not set foot on his native island. He was a man of profound erudition, this Thomas Cartwright, — an original and independent thinker; an eloquent, because earnest and instructive, preacher

[1] Publisher's Preface.
[2] Fuller, Book IX. p. 171.
[3] Publisher's Preface.
[4] Brook, II. 136. Middleton, II. 326.
[5] Neal, I. 176.

of the Gospel of grace. We have before introduced him as the first public assailant of the hierarchy.[1] We have also stated that he had fled his country to avoid the execution of an order "to seize his body, and to bring him before her Majesty's Commissioners, for his unlawful dealings and demeanors touching religion and the estate of the realm."[2] For a while he had resided at Heidelberg, where he had published a Latin treatise in defence of the new Discipline.[3] In the year 1576 he had been invited by the French Protestants in the islands of Guernsey and Jersey — the only places in the kingdom where the High Commissioners did not exercise jurisdiction[4] — to assist their ministers in organizing their church upon the Presbyterian plan. Thence he had returned to Antwerp to re-assume the office of preacher to the English merchants there. During the last five years he had been there, and thus employed.[5] While residing abroad upon this and a former occasion,[6] he had formed acquaintance with the most eminent Christian scholars on the Continent, — such as Theodore Beza and Francis Junius, — in whose esteem he stood so high that they considered themselves honored by his friendship. "Here is now with us your countryman, Thomas Cartwright," — Beza had written to an English correspondent, — "than whom I think the sun doth not see a more learned man."[7]

[1] *Ante*, Vol. I. p. 410.

[2] Ibid., 452, 453.

[3] Sandys to Gualter; Zurich Letters, No. CCIII. and note 4.

[4] This fact is explained, in part at least, by Collier (VII. 371, 372).

[5] Brook, I. 410; II. 143, 146.

[6] *Ante*, Vol. I. p. 413. Brook, II. 143.

[7] Zurich Letters, p. 479, note 3. Middleton, II. 329. Marsden, 168.

After he had been conveyed to a quiet, refreshing English home by his two friends, one of them expressed apprehensions for his personal safety.

"God's will be done!" Mr. Cartwright replied. "But my physicians have told me plainly that I should but die if I continued abroad. I would live, Mr. Field, to serve God and his Church as long as I may; and when assured that I might perchance gain new strength by breathing my native air, how could I resist the double motive to come home once more? Besides, there is some comfort in the thought of laying one's bones in the soil whence they have sprung."[1]

"But," said his other friend, Mr. Nicholas Crane, "I fear the bones may be laid in a dungeon."

"Amen! if God will it. But it will be English. You know, brethren, that I have done what I could to secure protection by bespeaking through my letters the good offices of the Lord Treasurer and the Earl of Leicester;[2] and also by my memorial to her

[1] Neal, I. 176. Brook, II. 146. Marsden, 168.

[2] Mr. Cartwright had also written a letter to Sir Christopher Hatton in the year 1582, of which I give an abstract. "Your Honor's love to the doctrine of the Gospel .... hath put pen in my hand to write unto you for the obtaining of some of that grace of which you have so great store with her Majesty, to my especial relief in a cause, the equity whereof I leave to your Honor's judgment. .... My trouble is not only the restraint of my liberty these six years, but especially .... the suspicion of disloyalty whereof I stand accused to her Majesty. First, I do with most humble thanks .... acknowledge the estimable treasure of the doctrine of the Gospel that shineth amongst us. Then, I cannot deny but that I have written some things which run into evil speeches of divers otherwise well-disposed. .... I am charged with things which not only I never did write, but which never entered so much as into my thought. As, to give the attempt of the overthrow of all good government in the commonwealth; to mislike of magistrates, and especially of monarchs; to like equality

Majesty's Privy Council, wherein I did plead the imminent danger of my life, and also my peaceable behavior while abroad, and prayed that I might

of all estates and of a heedless ruling of the unruly multitude. In the Church, to persuade the same disorder of setting no difference between the people and their governors; in their governors to have no degrees; to give to the ministers in their several charges an absolute power of doing what them liketh best, without controlment of either civil or ecclesiastical authority; and for the present estate of our Church, that I carry such an opinion of it as in the mislike thereof I dissuade the ministers from their charges, and the people from hearing the Word and receiving the sacraments at their hands, unless it might be in such sort as I myself would have it. All which judgments as I utterly detest, so for the maintenance of them there shall not be found, without open and violent wresting, so much as one sentence in any of my books which I have published: whereas to the contrary there are divers sentences of that clearness that none can deny but he will say that it is not light at noonday. . . . . My humble suit is, that I be not condemned in silence, but that there may be a time of trial, as there hath been of accusation. . . . . Others have audience at her Majesty's hands when their goods are but touched. My name, which is a much more precious possession, is rent asunder. Their causes concern but themselves. Mine reaches unto many and divers persons. Theirs is in earthly matters. Mine is in heavenly. . . . . My next desire is, that, if I must remain in her Highness's suspicion, ... it may be according to that which I have written, and not according to that which I am reported of. So shall I be sure to be eased of the slanderous surmise of my disloyalty to her Majesty's estate and to the Commonwealth, likewise of my love to Puritanism and Church confusion; the contrary of both which I do most earnestly protest, with this offer, that if either be proved against me, I will refuse no extremity to be practised upon me." ("Life of Hatton," 301–304.)

The reader will notice that Mr. Cartwright repudiated all "love to Puritanism." So did Samson — a Puritan as we esteem him — when writing to Grindal. (*Ante*, Vol. II. pp. 333, 334.) So did those gentlemen and justices whom we class among the Puritans, who wrote to the Council, "We detest both the name and heresy of Puritanism." (*Ante*, Vol. II. p. 376, note.) The solution of this seeming inconsistency is to be found in the fact that, in those days, what we consider a name of honor was counted one of reproach, as implying an arrogant pretence to *purity*, spiritual and moral "perfection." So Archbishop Whitgift designated the Puritans in his inaugural discourse (*Ante*, Vol. II. p. 354, note): "These men color their contention by the names of Religion, Faith, and *Perfection*."

come home with assurance of her Majesty's protection. I did so, because I well knew that there were such as watched to apprehend me, that they might cast me into prison."[1]

"Hadst promise of protection?" asked Mr. Field.

"None. But, as you also know, I had kind and honorable mention in the House of Lords at the last Parliament, when both the Lord Treasurer and the Earl did commend me in that most noble Senate of the whole kingdom, and also did intercede, though in vain, for the favor and consent of the queen."[2]

"We do know all these things well," answered Mr. Field. "But, without assurance of her Majesty's protection, we think thee safer in Antwerp than in London."

"I would rather die in London than in Antwerp."

"Your arrival," said Mr. Crane, "cannot be concealed. The spies of the Commissioners are everywhere."

"I would not have it concealed. I cast myself upon my God and my country, to live or to die."

They parted. Mr. Crane's anticipations were realized. As soon as Mr. Cartwright's arrival was known, — probably within forty-eight hours, — he was in prison.[3] No respect for his character or his learning, no pity for his sickness, weighed in the balance to his favor. Aylmer, Bishop of London, "thinking to decline thereby displeasure from himself or the Commissioners, took him up by warrant from the

[1] Strype's Annals, V. 494, 495. Neal, I. 176. Brook, II. 147. Marsden, 168.

[2] Strype's Whitgift, 225; Annals, V. 495. Neal, I. 176. Brook, II. 147. Marsden, 168.

[3] Neal, I. 176. Brook, II. 147. Marsden, 168.

queen, who, in truth, was incensed against Cartwright. He then sent the lords of the Privy Council word that he did it by her order. But the queen took this in evil part, and was very angry that he had *used her name* to the lords."[1] There was but one way by which she could shake off the odium of an act so ungracious and cruel. It was to disavow it, to undo the deed. Thus it happened, as it seems to us, that Mr. Cartwright was soon released.[2]

Poor Aylmer! He had obeyed his mistress, and she frowned. "This the good bishop took to heart." He even crawled in the dust before the Lord Treasurer, "begging his endeavors to appease the queen's indignation." "My very good lord," were the words of his plaint, "I understand myself to be in some displeasure with her Majesty about Mr. Cartwright, because I sent word to your lordships by the clerk of the Council that I committed him by her Majesty's commandment. Alas! my lord, in what a dilemma stood I, that if I had not showed that warrant I should have had all your displeasures, which I was not able to bear. And, using it for my shield, (being not forbidden by her Majesty,) I am blamed for not *taking upon me* a matter wherein she herself *would not be seen.* Well; I leave it to God and to

[1] Strype's Aylmer, 117. For her policy, compare *ante*, Vol. I. pp. 228, 229, and note 6.

[2] I dissent from Mr. Marsden's statement, that "it was from the Primate that Mr. Cartwright received his release, though not until he had been several months in prison." Whitgift, as Primate, probably released him; but the queen's anger towards Aylmer was doubtless the reason of this act of grace. That Mr. Cartwright was "several *months* in prison," I doubt; for it would seem, from the correspondence to which I shall immediately refer, that he had received his Grace's grace before the fourteenth day of July.

your wisdom to consider in what a dangerous place of service I am. But God, whom I serve, and in whose hands the hearts of princes are, as the rivers of waters, can and will turn all to the best, and stir up such honorable friends as you are to appease her Highness's indignation. In the mean time, my good lord, *I will vow myself to you*, as my chief patron under God and her Majesty, and surely you shall find me neither undutiful nor unthankful."[1]

Such was the cringing servility of the man who thirty years before had so much of the Puritan dislike to bishops as to write against them "in a strain of insolent vulgarity," to which Mr. Cartwright could never have stooped.[2] Well might Lord Burleigh exclaim, "I see such worldliness in many that were otherwise affected before they came to cathedral churches, that *I fear the places alter the men*."[3]

After Mr. Cartwright's liberation, a personal interview took place between him and the Archbishop, which was marked by mutual courtesy.[4] The Puritan seems to have acknowledged, that in the heat of their old controversy his "manner" had been such as he would not in all respects justify. Yet he frankly declared that his opinions upon the matters then discussed were unchanged.[5] It is *said*, also, that he expressed his purpose to do nothing touching "the practice and devotions" of the Church which might create disturbance. The prelate was mollified for the time towards his old antagonist,

[1] Strype's Aylmer, 117. Marsden, 169.

[2] *Ante*, Vol. II. p. 232. Marsden, 169.

[3] *Ante*, Vol. II. pp. 436, 437.

[4] Strype's Whitgift, 225. Brook, II. 147.

[5] Fuller, Book IX. p. 177; Whitgift to Leicester.

treated him kindly, and "promised him all friendship."[1] "For his favorable and courteous usage of Mr. Cartwright," the Earl of Leicester, on the fourteenth day of July, rendered formal thanks to his Grace, and at the same time intimated a hope that Mr. Cartwright might be again allowed to preach.[2] The Archbishop replied: "I cannot grant him license to preach without longer trial. . . . . I am ready to be at peace with him so long as he liveth peaceably. Yet doth my conscience and duty forbid me to give unto him any further public approbation until I be better persuaded of his conformity. This 17th of July, 1585."[3]

The Earl of Leicester had founded an asylum or hospital at Warwick for "twelve poor, old, impotent men,"[4] and, finding that he could not obtain the Archbishop's license for Mr. Cartwright, preferred him to its mastership.[5] The emolument of the office was the use of a house, and one hundred pounds per annum; its duties, to pray twice a day with those who had refuge there, to catechize them twice a week, and to preach in the morning of the Lord's day in the church of the lower parish. In addition to these duties of the mastership and to his studies, he preached in the upper parish in the afternoon of Sunday whenever permitted, and in the same parish church preached a lecture on Saturdays.[6] Being in the private service of a nobleman, he was legally exempt from the jurisdiction of the prelates

[1] Strype's Whitgift, 225.
[2] Fuller, Book IX. p. 176.
[3] Ibid., 177.
[4] Strype's Annals, VII. 42, 43. Strype's Whitgift, 336.
[5] Sidney State Papers, I. 46.
[6] Middleton, II. 331. Neal I. 177.

and therefore he could preach in Warwick without a license.[1] But the bishops, as we have seen, were not scrupulous to exceed the legal bounds of their authority; and it was not long before Freke, the Bishop of Worcester, disturbed him by a summons to appear before the consistory court. Here he was charged with "disturbing the peace and quietness of the Church by innovations, and with obtruding fancies and devices of his own and others, particularly with broaching the dregs of Geneva." He was dismissed, however, without ecclesiastical censure.[2]

With indomitable perseverance, and still contending with painful disease, he resumed the duties of the hospital and the pulpit, but devoted his chief labor to his "Confutation of the Rhemish Testament." But some time in the year 1586, he "received commandment from the Archbishop to deal no further in it."[3] His Grace had obtained a copy of Mr. Cartwright's "Preface," in which he saw, or thought he saw, an attempt "now and then to magnify the New Discipline."[4] Mr. Cartwright desisted. But some years afterwards, "upon the special solicitations and encouragements of honor-

[1] Brook, II. 147.

[2] Ibid., 149. Marsden, 173.

[3] Publisher's Preface.

[4] Strype's Whitgift, 335.

Mr. Cartwright afterwards made some alterations of this first copy. Yet he declared that, "as to the matter of discipline .... he esteemed it a duty to defend the truth thereof where the Jesuits expressly oppugned it; and saw not how he could in good conscience leave a blank where they had made a blot. .... Yet he never came to any of these points but where they called him; and answered these with as much brevity and as great generality as he could, without any application unto our Church or any governments of the same." (Strype's Whitgift, 335.)

able personages," he resumed the work. "But yet receiving new discouragements from his great adversaries," and hindered by his ministerial duties and personal sufferings, he proceeded only to the fifteenth chapter of the book of the Revelation. Nor was this perfected by his own careful review, as he had intended. He ceased from his task, however, only when interrupted by death.[1]

A more arbitrary act cannot be conceived than that of the Archbishop in this case; nor, probably, can any instance be cited, under Elizabeth's reign, in which the despotic power of the hierarchy was so signally displayed. The queen — we say it with some reason — had great respect for the talents and learning of Mr. Cartwright; and was willing that he should proceed in his work, until persuaded by the Archbishop that his Puritanical sentiments — "very dangerous" — would become associated, should his work appear, with the Holy Scriptures themselves, and thus obtain a sanctity in the minds of the people. Sustained by her approval, his prohibitory ban was sufficient to neutralize the combined influence of Walsingham, Leicester, and Burleigh, each of whom[2] sanctioned Cartwright's

[1] Publisher's Preface.

Dr. William Fulke, — Margarett Professor of Divinity at Cambridge, and one of the many learned men who prompted Mr. Cartwright to his task, — finding him stopped by the Archbishop's inhibition, assumed the work himself. *His* "Confutation of the Rhemish Testament" was published in the year 1589. In his Preface "he gave his readers notice that they were to expect a much more complete answer from Mr. Cartwright." (Pierce, 103.) Mr. Cartwright's manuscript received no attention for years, except from mice, who made some inroads upon it. The defects thus occasioned, and also the unfinished part of the book of the Revelation, were supplied by the publisher from the work of Dr. Fulke. (Publisher's Preface. Brook, I. 387.)

[2] Marsden, 172.

undertaking. "Walsingham was Secretary of State, but not of religion; wherein the Archbishop overpowered him. Many commended his care not to intrust the defence of the doctrine of England to a pen so disaffected to the discipline thereof. Others blamed his jealousy to deprive the Church of so learned pains of him whose judgment would so solidly, and affections so zealously, confute the public adversary. Distrustful passages, (shooting at Rome but glancing at Canterbury,) if any such were found in his book, might be expunged, whilst it was a pity so good fruit should be blasted in the bud for some bad leaves about it."[1]

Mr. Cartwright was warmly welcomed by his brethren of the Presbyterian school, and rendered them important aid in those different revisions and alterations of their Book of Discipline which we have mentioned.[2] By these repeated and careful emendations, they acknowledged the importance of their work, and — what the queen and her prelates would never do — their own fallibility. The motto of the one party was, "Let us go unto perfection";[3] that of the other, "Semper eadem."

In the subscription to the Book of Discipline

[1] Fuller, Book IX. p. 171.

[2] *Ante*, Vol. III. p. 152.

In his sermon at Paul's Cross, Dr. Bancroft was disposed to facetiousness when alluding to these repeated revisions of the Presbyterian Book of Common Prayer which accompanied their Book of Discipline. "The whole form and order of the Book," said he, "was in a manner changed (so *constant* are they!) and there are not so few as six hundred alterations. The wise man, speaking of such resolution, saith that *Stultus ut Luna mutatur*." (Hicks, 287.) And he had the front to say this after having noticed the *repeated* alterations which had been made in the Book of Common Prayer as established by law. (Ibid., 280, 281.)

[3] Hebrews vi. 1.

which was commenced in 1586[1] Mr. Cartwright joined; and in the Warwick Classis (or Presbytery) was the first subscriber.[2] The subscription was widely extended; Classical Assemblies were multiplied; and Provincial Synods[3] were also formed.[4] We have already given two briefs of this subscription.[5] The full form we here quote, that the explicitness of its language may be apparent. "We acknowledge the said Book entitled 'The Holy Discipline of the Church' to be agreeable to God's most holy Word, *so far as we are able to judge or discern* of it,—except some few points;[6] and we affirm it to be the same which we desire to be established in this Church by daily prayer to God: Which we profess (as God shall offer opportunity and give us to discern it so expedient) by humble suit to her Majesty's most honorable Privy Council and Parliament, and by all other lawful means, to further and advance so far as the law and peace of the present state of our Church will suffer it; and not to enforce the contrary. We promise to guide ourselves according to it, and follow the directions set down in the chapter 'Of the Office of the Ministers of the Word.'[7] We promise to frequent our appointed assemblies; that is, every six weeks Classical Conferences, every half-year Provincial

[1] *Ante*, Vol. III. p. 153.

[2] Strype's Whitgift, 263. Brook, II. 150.

[3] *Ante*, Vol. II. p. 275.

[4] Strype's Whitgift, 290. Neal, I. 185.

[5] *Ante*, Vol. II. p. 276; Vol. III. p. 154.

[6] These undetermined points were referred, for further consideration and final resolution, to some future assembly. (Strype's Whitgift, 263.)

[7] This chapter contained only directions for the manner in which the minister should conduct public worship. (Neal, II. 441.)

Assemblies, and General Assemblies[1] every year."[2] This subscription they considered only as "a declaration of their judgment; leaving the determination to her Majesty and the Parliament."[3] Yet "the promise was never in such manner performed as the Book prescribed,"[4] because her Majesty's authority was lacking for any change in conducting public worship.

This Paper expressed the only bond of association or brotherhood — the only obligation — which the Presbyterian Puritans assumed. It received the signatures of more than five hundred beneficed clergymen, — to say nothing of Cartwright, Travers, and others who had no benefices.[5] It is, however, a rare and gyratory feat, — the leap from this fact to the inference that these five hundred enjoyed their benefices while known to disregard the liturgy in their ministrations; or, in other words, that "the Puritans were treated with great favor, and allowed to enjoy many and considerable preferments in the Church."[6] True, some of the bishops loathed the persecuting of their non-conforming clergy; but what they loathed *they did* — to save themselves from punishment.[7] There were indeed "more than twice five hundred clergymen" — Puritans — "who made a shift to keep their places in the Church";[8] but this was not at all through "favor or allowance." There had been,

[1] *Ante*, Vol. II. p. 275.

[2] Strype's Whitgift, 263, 264. Neal, I. 182.

[3] Strype's Whitgift, Appendix, Book IV. No. IV. p. 145.

[4] Ibid., 146.

[5] Neal, I. 183, note. Nares, III. 350. Hume, III., Note M.

[6] Bishop Maddox, as quoted by Dr. Nares, III. 344.

[7] Martin's "Epitome," p. 38.

[8] Neal, I. 183, note.

and still were, not a few — like Grindal, Parkhurst, Pilkington, Deering — who were non-conformists in principle only, not in practice; "Puritan Conformists,"[1] or "Conformable Puritans, who practised the ritual out of policy, but dissented from it in their judgments."[2] The prelates complained of such;[3] but they could not prosecute them except upon inquisition. There were others who were *practically* non-conformists, but who "had so framed their parishioners that, although they *clean* alter the order of service and administration of the sacraments, they will never complain of them."[4] Thus it is evident, that many Puritan clergy retained their places, not through "favor or allowance," but some because they were conformists, and others because their ceremonial delinquencies were screened by their people. We have yet to learn that, under the administration of Archbishop Whitgift, there was a single instance of deviation from the ritual of the Church, which came to the knowledge of the Commissioners, which was not punished; a single deviator who was not, if discovered, imprisoned, suspended, or deprived.

It has been alleged, that the clergy thus associated agreed to invite none of the laity to "the present embracing and practising of the Discipline, except the men of better understanding, the riper or forwarder sort," others being kept aloof until better instructed;[5] that then such members of the parochial churches as seemed to be Christ's dis-

[1] Hanbury, I. 69.
[2] Fuller, Book XI. p. 144.
[3] Ibid.
[4] *Ante*, Vol. II. pp. 472, 473; Bishop Cooper's justification of the oath *ex officio mero*. Hicks, 300.
[5] Strype's Whitgift, 291, 332.

ciples in sincerity[1] should be received to the Presbyterian brotherhood; that such voluntary churches within and distinct from the compulsory or statute churches *were thus formed*, practising their discipline "as far as should be capable with the peace of the Church";[2] and that, as a condition of entering this Christian fraternity, each one "was required to make a declaration of faith, ... showing that he did fully consent and agree with the doctrine of the Church, and submitting to the discipline of the same by subscribing thereto."[3] But all these allegations were positively denied by Mr. Cartwright and others, who declared in the Star-Chamber, and upon their oaths, that "no such order of the submission of communicants to that Discipline had ever been put in practice by them; or allowed, otherwise than *in judgment* as an order which they desired *the magistrate* would establish."[4] We have yet to find evidence that any Presbyterian *church* organization took place during the reign of Elizabeth.

[1] Compare Strype's Whitgift, 329.

It should be remembered that the parish church was constituted by law; that the communicants were such upon *compulsion;* that many of them did not pretend to any spiritual affinity to the Great Head of the Church; and that not a few were of immoral lives. These facts, together with the lordship of bishops, constituted two great objections of both branches of the Puritan school to the Establishment.

[2] Strype's Whitgift, 291, 332. Waddington's "Hidden Church."

[3] Nares, III. 347.

Dr. Nares does not give his authority for these statements. Yet I see no reason to doubt that such conditions of church-membership may have been *projected*.

[4] Strype's Whitgift, Appendix, pp. 147, 150, 166.

Apparently this conflicts with my statements, Vol. II. p. 278. But if the reader will bear in mind that the language there employed describes only the theory — or perhaps the original, crude purpose — of the Presbyterians, no real discrepancy will be found. I confess, however, that I should have thrown those statements into a different form, had I then discovered what I here state in the text.

We turn to consider the nature and doings of these Presbyterian assemblies, — the Consistories, the Classes, and the Synods.

According to their Book of Discipline, to the Consistory belonged the duty of regulating all things pertaining to the public worship of their congregation, the sacraments, the marriages and the burials, and all matters of discipline. But in the election and "deposing" — dismissing? — of ministers, in excommunicating or suspending of private members, nothing might be concluded without the knowledge and *consent* of the whole church. Upon the Conferences it devolved to examine into the doctrine, discipline, and religious necessities of the churches represented in their Assembly, and to give counsel on all questions submitted to them from their Consistories; upon the Provincial Synods, to consider difficult cases sent up to them from the Conferences; and upon the National Synod, "to handle things pertaining to the churches of the whole kingdom."[1]

Such was the theoretic discipline projected by the Presbyterian Puritans. But in their various assemblies during Elizabeth's reign, they never attempted to practise it. They met merely for consultation, conference, and mutual improvement, "as professed ministers of the Word," and to "devise the best ways and means to keep the people who were under their charges from being corrupted by Jesuits, Seminarists, and schismatics."[2] Their Con-

[1] Neal, II. 438, 443, 444, 445. Book IV. No. IV. p. 144. Neal, *Ante*, Vol. II. pp. 275, 276. II. 447.

[2] Strype's Whitgift, Appendix,

ferences were meetings of ministers only, and for the above purposes, except that in some places schoolmasters — two or three — were admitted, men who were in training for the ministry.[1] They also "communicated for their comfort and help one with another," resolving matters of conscience in their relations to the Church established; for example, how far they might use the Book of Common Prayer? by what means the queen might be brought to consent to their Book of Discipline? what petitions should be sent to Parliament, and by whom? and what arguments should be drawn up for the use of their friends in the House of Commons?[2] In the year 1587, the Conference (Classis) of Cambridge proposed certain questions, which they sent up to the Provincial Synod which met at Warwick in June, 1588.[3] We state the decision of the Synod on only the most important of these, viz.: that no minister was obliged to rest in the bishops' "deprivation" from the ministry (except, upon consultation with some neighboring church, it should be thought best), but that he should continue therein until otherwise compelled by the civil courts: that it was not lawful to appear in any bishop's court without protestation against its unlawfulness: that no man should take upon himself an itinerating ministry: and that no one should take upon himself any particular charge in the ministry unless called thereto by a congregation, a Classis, or some greater assembly; in

[1] Strype's Whitgift, Appendix, Book IV. No. IV. p. 144. Neal, II. 447.

[2] Strype's Whitgift, 290, Appendix, Book IV. No. IX. pp. 162, 161; No. X. p. 165.

[3] Strype's Whitgift, 291. Neal I. 185.

which case, he should be commended by them to the bishop for ordination, if it might be obtained without subscribing to the Book of Common Prayer.[1]

Such were the topics which at this time were discussed in the meetings of the English Presbyterians. They assumed no church discipline, no ecclesiastical authority in any shape, no powers of ordination,[2] of ecclesiastical censure, or of excommunication.[3] They assembled only as brethren in the Christian ministry, and for the same general purposes as had been before sought in "the prophesyings" which had been "allowed by many bishops."[4] On this point we have their own most solemn protestation: "As touching the thing surmised of our meetings, that we exercise in them all ecclesiastical jurisdiction, in making of ministers, in censuring and excommunicating, in ordering constitutions and orders upon such cen-

[1] Strype's Whitgift, 291. Neal, I. 185.

As nearly as I can ascertain, while the Puritans held ordination by a bishop to be valid (*Ante*, Vol. II. p. 242, note), they did not consider one to be properly inducted into the *pastoral* office without both the approbation of the associated clergy and a call from the church to whom he should minister. But as they did not assume to confer ordination (*Ante*, II. 278; Neal, I. 140 *bis*), these two conditions having been met and being considered in themselves *Scripturally* sufficient, they referred the candidate to a bishop for orders, if not already ordained; or if he had been, for such papers as would enable him to hold a benefice. These points, I think, will appear by a *careful* comparison of pp. 291 and 330 of Strype's Whitgift.

In their peculiar view of the proper conditions of holding any *pastoral* charge, we perceive why they sometimes "renounced their former calling" — not *ordination* — "by bishops"; and, to qualify themselves *as pastors*, took "a new approbation from their Classes," and a "call" from their particular congregations, "by *which* calling they did stand in their ministry, and not by the calling of the bishop." (Strype's Whitgift, 330.)

[2] Strype's Whitgift, Appendix, Book IV. No. IX. p. 163, Article 18; No. X. p. 165.

[3] Ibid., p. 165.

[4] Ibid., p. 144. Neal, II. 447. *Ante*, Vol. II. pp. 49, 65, and note 4; also pp. 65, 66.

sures to bind any, *we protest, before God and the holy angels*, that we never exercised *any part* of such jurisdiction, nor had any purpose agreed among us to exercise the same, *before we should by public law be authorized thereunto*."[1] "Nor did they use or cause to be put in use any other form of Common Prayer by the prescription of any other book than that established."[2]

[1] Strype's Whitgift, Appendix, 148, 150, 151 *bis*. Strype's Annals, VII. 125, 126. Neal, II. 447. Fuller, Book IX. p. 208. Brook, II. 260.

[2] Strype's Whitgift, Appendix, pp. 146, 165.

CHAPTER XI.

"FLAT ARGUMENT FROM AUTHORITY."[1]

MR. WIGHT IMPRISONED. — HIS PAPERS REVEAL THE DOINGS OF THE PURITAN ASSEMBLIES. — OTHER CLERGYMEN IMPRISONED. — REVELATIONS BY SOME OF THEM UPON OATH. — ARTICLES OBJECTED AGAINST MR. CARTWRIGHT. — HE SOLICITS THE GOOD OFFICES OF LORD BURLEIGH. — BEFORE THE COMMISSIONERS REFUSES THE OATH — UPON HIS SECOND APPEARANCE CONSENTS, ON CERTAIN CONDITIONS, TO MAKE OATH UPON CERTAIN CHARGES. — LORD BURLEIGH REMONSTRATES. — CARTWRIGHT AND OTHERS NOW HELD IN PRISON FOR REFUSING THE OATH. — THEIR CASES REFERRED TO THE STAR-CHAMBER. — ARRAIGNED THERE, BUT THE PROCEEDINGS SUSPENDED. — CARTWRIGHT BROUGHT BEFORE THE COMMISSIONERS SECRETLY. — UPBRAIDED AND INSULTED. — CHARGES MADE BY THE ATTORNEY-GENERAL. — MR. CARTWRIGHT AGAIN REFUSES THE OATH. — DISPUTE BETWEEN BISHOP AYLMER AND DR. BANCROFT. — MR. CARTWRIGHT REMANDED TO PRISON. — WRITTEN ARTICLES PREFERRED AGAINST HIM AND OTHERS IN THE STAR-CHAMBER. — THEIR WRITTEN ANSWERS UPON OATH. — PROSECUTION FAILS FOR WANT OF PROOF. — THE COMMISSIONERS STILL HOLD THEM IN PRISON. — MR. CARTWRIGHT SOLICITS THE INTERCESSION OF LADY RUSSEL WITH LORD BURLEIGH. — THE PRISONERS ADDRESS THE QUEEN. — SOME FAVOR SHOWED, EXCEPT TO MR. CARTWRIGHT. — THE ARCHBISHOP'S CONDITIONS OF RELEASE REJECTED. — PUBLIC SYMPATHY FOR THE PRISONERS. — INTERCESSIONS OF KING JAMES, OF SIR FRANCIS KNOLLYS, AND OF DOCTORS AT CAMBRIDGE, UNAVAILING.

1590–1592.

To avoid exciting suspicion, the Puritans arranged that their larger assemblies, or Synods, should be held in connection with other public gatherings; as at Sturbridge, about two miles from Cambridge, at the time of the great fair held there during two weeks every year; at Cambridge, at the time of the Commencement; at Oxford, at the time of the Act;[2] and

[1] Fuller, Book IX. p. 170.

[2] *Ante*, Vol. II. p. 269, note 3

at London, at the time of the Parliament.[1] Several of these meetings had been held accordingly.[2] Their Classical Conferences, comprising but few members, and less likely to attract notice, were convened with less precaution, at inns or in private houses; as at "The Bull" in Northampton; in the chamber of Mr. Snape, the curate of St. Peter's parish in the same town; and in the house of Mr. Sharpe, minister of Fawseley.[3] Yet some suspicion of these gatherings and of their business was excited in the minds of the Ecclesiastical Commissioners, and especially in the mind of the Archbishop of Canterbury, who now "was very busy more effectually to deal with that sort of Puritans who had labored so much to bring in the new Discipline."[4] The better to ferret out their "concerns and doings," he kept in play a corps of spies.[5]

There was a zealous but unpretending clergyman, — Daniel Wight, — who seems to have preached in London, or in its immediate vicinity. He was a quiet, peaceable man, earnest in the work of his ministry, "one of the chief Puritan ministers,"[6] and was in the habit of expressing his opinions frankly whenever occasion required. He had subscribed the Presbyterian Book of Discipline, and had taken an active part in the Associations. By his ingenuousness, and by his frequent attendance upon the Classical Conferences and Synods, apparently, he had attracted the special attention of the Archbishop's

[1] Strype's Whitgift, 328, 332.
[2] Ibid., 332.
[3] Ibid., 328, 330. Fuller, Book IX. p. 207.
[4] Strype's Whitgift, 327.
[5] Ibid., 291.
[6] Ibid.

spies. Early in the year 1590 his house was forcibly entered, his study sacked, his papers seized, and he himself marched off to prison.[1] These papers furnished his Grace with much of the information about "the concerns and doings" of the Puritans which he had long been craving; for they contained various memoranda of what had been debated and resolved upon in their assemblies, and which we have in part recited.

About the middle of May Mr. Cartwright was summoned by Mr. Serjeant Puckering to appear before the High Court of Commission. He was sent for by a pursuivant, but contrived to evade arrest, not because he would elude the Court, but partly because he was too ill to travel, and partly because, with the honorable pride of a true man conscious of integrity, he chose to be his own pursuivant.[2] In a few days, his infirmity being abated, he came to London, where he immediately wrote to Mr. Puckering, "in behalf of the poor church at Warwick, likely enough to be deprived of all manner of tolerable ministry, ... that some such might be provided as might . . . . . proceed in the edification of the church. . . . . This," he added in conclusion, "I was bold to write in fear of being severed from doing any more service there; and yet not known to myself of any breach of law whereby I may be touched. Only I fear to be committed for refusing the oath *ex officio mero*. May 20, 1590."[3] Having thus pleaded for his "poor church," and anticipating

[1] Strype's Whitgift, 291. Brook, I. 447, 448.
[2] Strype's Annals, VII. 27; Cartwright to Puckering.
[3] Ibid. Brook, II. 150, 151.

clearly the severities which he must endure, he rendered himself to the terrible tribunal before which he had been summoned,[1] and was immediately sent to prison.[2]

Besides Mr. Wight and Mr. Cartwright, seven other clergymen were arrested about the same time, and committed to different prisons in and about London, some of whom had before suffered in like manner for their non-conformity; men of honest and peaceable lives, laborious and faithful preachers, and esteemed by their parishioners.[3] Soon after, others of the associated brethren were arrested and committed, some of whom considered themselves under obligation to take the oath in all cases when required to do so by their ecclesiastical judges, and to confess all which they knew touching the case in hand.[4] Through these men the Ecclesiastical Commissioners discovered many things respecting the associations which were not revealed by the papers of Mr. Wight; particularly the bond of association subscribed by the brethren,[5] when and where these meetings had been held, and the names of those assembled.[6]

It was the habit of his Grace of Canterbury to make his early appearance at the Privy Council board; but if upon inquiry he found that no question was to occur touching affairs of the Church, he would immediately take his leave.[7] But the

[1] Strype's Whitgift, 338; Appendix, Book IV. No. I.

[2] Brook, II. 151.

[3] Strype's Whitgift, 292, 335. Brook, I. 407–410, 444–448.

[4] Brook, I. 405; II. 259.

[5] Ibid, I. 405.

[6] Ibid., 259. Strype's Whitgift, 371; Appendix, Book IV. No. IX. Fuller, Book IX. p. 207.

[7] Fuller, Book IX. p. 197.

cases which we are pursuing not coming originally before the Lords of Council, he had no occasion to discuss them there. Yet he had framed certain articles against the clergy under arrest, which he had prepared from the Papers of Mr. Wight, and from the oral confessions of others. A copy of these he saw fit to send on the sixteenth day of July, not to the Council indeed, but to the principal man there, — the Lord Treasurer.[1] Having closed his long and complicated document, his Grace propounded these questions: "*First*, whether it be not expedient for the Commonwealth and her Majesty's service to have the dealings of these men more particularly yet discovered and suppressed if it may be? *Secondly*, seeing this cannot be effected by any means but by the confession of such as were partakers of their conferences, if they and others shall persist in refusal, what course were best to be taken *for the terror* of others? whether by *præmunire* if they have incurred it? by law? or by some *exemplary corporal* punishment, to be inflicted by the Lords of the Star-Chamber? or otherwise?"[2] This language shows plainly enough that the Archbishop was ready to adopt a course of proceeding and modes of punishment "*otherwise*" than "by law," and that he did not blush to avow it. We think the rack is indicated.

Thirty-one articles were drawn up against Mr. Cartwright by the Archbishop, or under his direction, and were dated September 1st, 1590.[3] The first twenty-

[1] Strype's Whitgift, 327.

[2] Ibid., 335.

[3] Ibid., 336. Fuller (Book IX. p. 197) mistakes the date affixed to these articles for that of Mr. Cartwright's appearance before the Commissioners.

four charged him with renouncing his episcopal orders by being re-ordained beyond the sea, with interrupting the peace and breaking the orders of the Church since he came home, and with knowing the authors or printers of Martin Mar-prelate.[1] The rest concerned his penning and recommending the Puritan Book of Discipline, and his conduct in the Puritan Synods.[2]

Having been notified, after about four months' imprisonment, that he was about to be convented before the Ecclesiastical Commissioners, Mr. Cartwright wrote to Lord Burleigh as follows: ". . . . . So it is, therefore, if it please your good lordship, that with much grief of mind I have understood of her Majesty's heavy displeasure against me, in whose gracious favor, next under God, the comfort of my life and of those that depend upon me doth consist. Whereof it may be that at this time I stand under the arrest of her High Commission . . . . . for appearance upon Thursday next; when, what matter may be objected, I know not.[3] But this I well know, that from the writing of my last book (which was thirteen years ago) I never wrote, or procured anything to be printed, which might be in any sort offensive to her Majesty or the State; much less had any hand, or so much as a finger, in the book under Martin's name.

". . . . . Wherefore, my most humble suit unto your lordship is, that it would please you, either by

[1] Neal, I. 194. Brook, II. 151–153.

[2] Brook, 153. Fuller, Book IX. 198–202. Collier, VII. 121–128.

[3] It is evident, however, upon comparing the Articles with the following parts of this letter, that Mr. Cartwright must have received *general* information of their prominent points.

counsel or favor, or both, ... to relieve me against the troubles that are coming upon me, especially against her Majesty's heavy displeasure. This Sunday morning the 4. of October, 90."[1]

On the eighth day of October Mr. Cartwright was brought before the Commissioners in the Consistory of St. Paul's.[2] The Archbishop was not present, for Lord Burleigh, thinking it unmeet that he should sit in judgment upon one against whom he had sustained a public and sharp controversy in ecclesiastical matters, had advised his absence.[3] At the opening of the Court, Mr. Cartwright was required to take oath that he would answer truly any interrogatories which might be offered touching articles "*to be* objected against him." This he utterly refused, declaring "that questions might be proposed, by a true answer to which he might accuse himself; and that to require such an oath, especially of a minister, was in his opinion contrary both to the laws of God and the laws of the land."[4] The Commissioners rejoined by assuring him severally, and upon their credits, that by the laws of the realm he was obliged to take the oath and to answer as might be required. But Mr. Cartwright, still refusing, was sent to the Fleet prison.[5]

Before the month expired he was again con-

[1] Strype's Whitgift, Appendix, Book IV. No. I. Annals, VII. 72, 73; Appendix, No. XXXIX.

In the course of this letter, Mr. Cartwright complains: "My good name has been most slanderously rent and torn in sunder; as to be a dicer and to have thrust one through the leg with a knife, and other such like, whereof, I thank God, there is not the least suspicion."

[2] Fuller, Book IX. p. 202. Strype's Whitgift, 338.

[3] Strype's Whitgift, 337 *bis*.

[4] Ibid., 337, 338.

[5] Fuller, Book IX. p. 203. Collier, VII. 129.

vented.[1] Upon this occasion they read unto him "the Heads and Generals" of the articles objected against him; hoping, as it would seem, thus to draw him to the taking of the oath. Upon hearing this outline, Mr. Cartwright said: "I perceive that it is objected against me that I have given over my ministry and taken another; and that I have ordained ministers, held conventicles, and called synods. These things are truly criminal. Therefore, — albeit I hold not myself bound by any law in this cause to take an oath, — inasmuch as I would free my ministry from such suspicion and myself also from the suspicion and jealousy of the magistrates (her Majesty especially), I am content, if no other proof will suffice, to take an oath clearing myself of *these* things, and others like them, if such others there be. Provided, however, that I shall first have the articles themselves, and also have counsel who shall with me deliberate what answers to give up. To such answers, so prepared, I consent to be sworn. And whereas you have objected to me the making of libels, although (Martin Mar-prelate set apart) I esteem some which you, or some of you, judge libels, dutifully and learnedly written; yet because I have already professed that I have not dealt in them, I refuse not to answer even to that also. And if there be any article to which I shall refuse to answer upon oath, I will give my reasons therefor. If this do not satisfy the Court, then will I submit myself to the punishment you shall award."[2]

Three several times, since the commitment of Mr. Cartwright and his friends, had Lord Burleigh ad-

[1] Strype's Whitgift, 337.

[2] Ibid., 338.

dressed the Archbishop, seeking to stay, or at least to mitigate, the proceedings of the Commissioners. In one of his letters he had iterated an opinion which he had before expressed with earnestness.[1] "Your Grace must not think that I am carried away with any particular regard for this man, or to any" — his associates — "to comfort them in walking disorderly. Yet I pray your Grace to bear with this my conceit, namely, that I see not that diligence or care taken *to win* these kind of men that are precise, either by *learning or courtesy*, which as I imagine might reclaim them."[2]

But his Grace and his colleagues recognized only the *subject* in the citizen. Therefore they did not comprehend his lordship, who both recognized and respected the manhood of the citizen; and his intercessions were of no avail. Mr. Cartwright and his brethren were still held in prison *for contumacy* in refusing an oath by which they might be compelled to accuse themselves.[3] Why they were imprisoned nearly six months before the oath was demanded, and even before they were permitted to know the charges against them,[4] must be left to such conjecture as charity may suggest. *Magna Charta*, could it then have been heard, would have protested, — "No freeman shall be taken or imprisoned without cause shown; or be detained without being brought unto his answer in due course of law. No person shall be put upon trial from rumor or suspicion alone, but upon evidence of lawful wit-

[1] *Ante*, Vol. II. pp. 421, 422, 437.
[2] Strype's Whitgift, 337.
[3] Ibid., Appendix, p. 150. Heylin's History of the Presbyterians, Book IX. Sec. 18.
[4] Strype's Whitgift, App., p. 150.

nesses." But the despotism of the priesthood trod alike upon the manhood of the citizen and the fundamental law of the land. The canon or civil law was still in contention with that of the realm. "I know your *canonists* can defend these with all their particles," Lord Burleigh had written to the Archbishop six years before;[1] and with good reason he might have repeated it now, for in this very year "several of the most learned doctors of the civil law" pronounced a judgment to sustain the Commissioners in their enforcement of the oath *ex officio*.[2] We repeat it therefore, and with some confidence, that the canon or civil law still asserted its pretensions against the laws of the realm.

It was an opportune time for his Grace of Canterbury to be "very busy *more effectually* to deal with the Puritans," for the Earl of Leicester was out of the way, Sir Francis Knollys was tongue-tied by her Majesty's inhibition of anything from his lips which might impugn the authority or the official acts of the bishops,[3] the queen had just been stirred up to new jealousy and anger against the Puritans, and had spurred her Commissioners against them,[4] and Sir Francis Walsingham had deceased on the sixth day of April.[5] Thus the Puritans were left comparatively friendless at Court. Of their powerful protectors who dared to speak, only the Lord Treasurer remained. Besides, the Commissioners had raked together some extravagant and violent expressions against the authori-

[1] *Ante*, Vol. II. p. 421.
[2] Strype's Whitgift, Appendix, Book IV. No. II.
[3] Strype's Whitgift, 361.
[4] Heylin's Presb., Book IX. Sec. 2
[5] Ibid. Camden, 444.

ties of both Church and State, which they charged upon all those who were disaffected towards the Establishment,[1] and which told hard against them. The Archbishop took advantage of all these concurring accidents; Walsingham had but just drawn his last breath, when his Grace commenced his "more effectual" operations by arranging for the summons of Mr. Cartwright and the arrest of his associates. He pushed his advantage to the utmost. Finding that most of their prisoners were resolute against the oath, the Commissioners could do nothing more by their own authority "to further the discovery of their courses,"[2] except to inflict protracted imprisonment, deprivation and deposition from the ministry. All these measures they now adopted toward "sundry of them" for their contumacy.[3] The Archbishop[4] and his colleagues[5] therefore "referred both the persons and the cause" to the Court of the Star-Chamber,[6] which had a larger power to inflict punishment.[7]

Attorney-General Popham, Serjeant Puckering, and others therefore took the case into consideration, and drew up a Paper dated Feb. 3d, 1590,—i. e. 1590–1,[8]—alleging against these ministers certain seditious opinions, practices, and intentions; and expressing their own opinions jointly, "subject always to her Majesty's most grave and excellent wisdom," in the following words: "These enormities being so weighty, and aggravated with

[1] Strype's Whitgift, Appendix, p. 140. Heylin's Presb., Book VIII. Sec. 31.
[2] Strype's Whitgift, 360.
[3] Ibid., Appendix, p. 141.
[4] Marsden, 175.
[5] Heylin's Presb., Book IX. Sec. 4.
[6] Ibid.
[7] Strype's Whitgift, 360.
[8] Ibid., 361.

so intolerable disobedience in refusing to be examined upon oath, it seemeth unto us that this matter is of as great and dangerous consequence to the Commonwealth as anything that of long time hath happened. And therefore, for further discovery of their courses, and an exemplary punishment to the terror of others, it is proper to be brought to a speedy and public hearing (upon bill and interrogatories) in the Star-Chamber against some of the principal dealers; and the penalty thereof fit to be as grievous as by any order and precedent of that Court hath been, or may be, inflicted. And because, for misdemeanors of far less quality and danger, we find by precedents showed unto us, that banishment and condemnation to the galleys have been imposed, therefore, for many considerations we think perpetual banishment to be the most fit punishment in this case, so that it be into some such remote place as there shall be no danger of their return, nor of disturbance of the common quiet of the realm by their writings or otherwise."[1] Such was the terrible doom now hanging over the heads of ripe scholars, earnest ministers of Christ, and loyal subjects of the queen. The issue of these advices we shall soon see.

The way was now prepared. Yet there was delay, — for the bitterness of prison life might perchance subdue the spirit of Christian heroism, — and it was not until three months afterwards (May 13th, 1591) that "some of the principal dealers" were arraigned in the Star-Chamber.[2] "The main charge against them was, that they meant to over-

[1] Strype's Whitgift, Appendix, p. 141. [2] Strype's Whitgift, 361.

throw the established government of the Church, and *by force* to bring in, in the room thereof, their own Discipline."[1] In opening the case, the Attorney-General bitterly reproached the defendants for having refused the oath, under pretence that the Articles were unknown to them. To this statement, Mr. Fuller, counsel for the defendants, began to reply. But the Lord Chancellor Hatton interrupted him, and put a stop to further proceedings for the present. "The proper order is," said he, "that Mr. Attorney, when informing for the Queen's Majesty in the Star-Chamber against any person, should have his witnesses ready to prove such matters as he informeth, if the parties accused shall deny the information or any part thereof. This course he hath not kept, because he hath not his witnesses ready. Therefore, for lack of such witnesses, the Court, having taken due consultation hereupon, do order that the Lord Archbishop's Grace shall appoint one doctor of divinity and one doctor of the civil law to join with Mr. Attorney *for his better instruction* in further prosecuting his information against the prisoners."[2] Thus the proceedings were stopped.[3]

[1] Strype's Whitgift, 367.

[2] Neal and Brook, who usually run parallel, have made a strange and unaccountable representation of this transaction. They say that, when Mr. Fuller was interrupted, "he was commanded to be silent," (as though he were forbidden to interfere in behalf of his clients,) "and *was told* that far less crimes than theirs had been punished by the galleys or perpetual banishment," &c.; quoting the Paper of advice from Popham, Puckering, and others, which I have given above. Both refer, as their authority, to the very pages of Strype whence I construct my account. But there is not a syllable in Strype to this effect. He nowhere intimates that these words were uttered in the Court at all much less, that they were spoken to browbeat Mr. Fuller. Nor is there a word said by Strype to imply that Mr. Fuller was prevented from proceeding, except just as Mr. Popham was prevented.

[3] Strype's Whitgift, 361, 367.

Although the High Commissioners had sent the defendants to the Star-Chamber, they still held them within their own grasp. Thus, soon after this brief scene, and in the same month, they singled Mr. Cartwright from his fellows, and again brought him before their own Court. Upon this occasion, they held their session in the palace of the Bishop of London. They also withheld from him the warning usually given to prisoners, and called him before them secretly. These extraordinary measures were adopted "lest any that favored Mr. Cartwright's cause should come in."[1]

Mr. Cartwright labored under many bodily infirmities, and suffered much from the sciatica and "the gout especially." He had also been much reduced while in prison from the effect of medicines. In this condition, he had appealed to the Privy Council for the privilege of fresh air, which his physician assured him was the medicine proper to his case.[2] When he now appeared before the Commissioners, sick and unbefriended, the Bishop of London vehemently upbraided him, upon the threshold of proceedings, with having abused the Privy Council by informing them of bodily ailments with which *he had not been troubled!*

"But, my lord," said Mr. Cartwright, "suffer me to speak a word upon so grievous a charge, if it please your lordship."

"Be silent. I suffer no such thing. I have other matter to charge you withal. You have also abused her Majesty by saying, in a supplication you have

[1] Strype's Whitgift, 362; Aylmer, 309.

[2] Strype's Annals, VII. 71; Cartwright to Lady Russel.

addressed to her, that the oath we have before tendered to you was not according to law. Moreover" — and his lordship proceeded through a long accusatory speech which we need not recite. He concluded by demanding that Mr. Cartwright should now take the oath which he had before refused.[1]

"My lord, and all you of this honorable Council, I pray leave to rejoin so far as — "

"You may keep silence, sir," said the Attorney-General. "I have something to say myself to this honorable Court. It be a dangerous thing, sirs, that a man upon the conceit of his own head, and yet under color of conscience, should refuse the things that have been received for laws of long time. This oath to answer interrogatories that was tendered to the prisoner, was tendered according to the laws of the land. . . . . Albeit, because the laws of men, they may carry always some strain of imperfection, I have now to deal with Mr. Cartwright in two points. One is, the peace of the land, which hath been broken by him and others, through unlawful meetings and making of laws. The other is, the justice of the land which he and others have offended against in refusing the oath now tendered. . . . . Nor — in my conscience I say it — are there any learned in the laws of the land that do judge it unlawful. I exhort you therefore, Mr. Cartwright, to take the oath; the rather for that you being aged should have more experience, and, with experience, more wisdom, than others who have refused it."

"Take the oath," said Bishop Aylmer.

[1] Strype's Whitgift, 262; Aylmer, 160, 161.

"Before I come to the matter of the oath, let me be received to answer the grievous charges given partly against myself, and partly against myself and others; the charges uttered by Mr. Attorney, but especially those uttered by your lordship."

"Nay," retorted the bishop, "you shall not answer to anything but only to the oath, whether you will take it or no, to answer interrogatories under the Articles which you have seen."

"A hard course it is, my lord, to give *open* charges, and the same very grievous, such as your lordship hath but just now charged me withal, and yet to shut me up from all answer of them."

"Answer first touching the oath. Then shall you be admitted to answer the charges which I have brought."

We know not what answer Mr. Cartwright would have given to *these* charges; but to the first — that of abusing the Council by representing himself as sick when he was not — he would have alleged the testimony of his physician, who had witnessed it under his own hand, which certificate the Archbishop *had taken from Mrs. Cartwright and would not restore it.* Other testimony he would also have brought from the same source, and to the same effect. But the Court would not suffer him to answer one word upon the matter, although he humbly besought that he might do so.[1]

"Well, your lordship, I am shut up to answer following the order which your lordship hath appointed. I therefore say that I have already made answer to the Articles of which you would ex-

[1] Strype's Annals, VII. 71; Cartwright to Lady Russel.

amine me upon oath. This answer I have drawn forth of mine own bosom, and cannot make answer further."

"Your reason?"

"I lay the chief strength of my refusal upon the law of God; next upon the law of the land, which, in some men's judgment professing the skill of the laws, do outwarrant such proceeding."

"Take heed," said Dr. Lewin, "lest in refusal of this oath you refuse that which the prince hath authorized. You are greatly deceived in calling it the oath *ex officio*, for it is by express words derived from her Majesty's authority. It is by a power delegated to us."

"Take heed to that," said the Bishop.

"In calling it an oath *ex officio* I speak by warrant of this Court, for so your lordship hath called it. So hath another of the High Commission (not present), calling it the oath of Inquisition."

"I deny that I have done so," replied his lordship.

"I appeal to those present";—upon which his lordship was silent. "But moreover," added Mr. Cartwright, "I have seen commissions from her Majesty wherein there was no mention of proceeding by corporal oath."

"But," interrupted Dr. Bancroft——

"I desire that I may make an end of my answer."

"Very well," replied the Doctor; "speak if you will, and I will keep silence."

"I will give place, and proceed after with my answer if I can remember it."

"The High Commissions have been altered," Dr. Bancroft continued, "as occasions . . . . . have re-

quired. The former commissions had not inserted into them the clause of proceeding by oath."

"Your saying amazeth me," interposed the Bishop. "I do deny it. The clause of proceeding by corporal oath hath always been inserted."

"Your lordship must pardon me," replied the Doctor, "but I reaffirm that the former commissions had *not* the oath, and this I am willing to declare publicly."

"And *I* declare," replied his lordship, with some choler, "that I have been Commissioner these thirty years, partly in Lincoln and partly in London, and have always had that clause of the oath inserted."[1]

This episode past, Mr. Cartwright resumed. "Although this Court may, by the words of her Majesty's commission, proceed by oath, yet it doth not follow that they may proceed by oath without any to accuse, without limitation, and without reasonable time for deliberation and advice what to

[1] Mr. Strype covertly charges a cowardly falsehood upon the Bishop, when he adds, "His fear being (as it seemeth) lest they, having *used* the oath always and having no commission" — to do so — "but now of late, should be thought to be in a *præmunire;* for that they had used it so many years without warrant."

The contradictory assertions at this examination upon the particular point, whether the clause of the oath had always been inserted or not, are remarkable; particularly that of Mr. Cartwright, that "he had *seen* commissions from her Majesty wherein there was *no mention* of proceeding by corporal oath." I can only refer the reader to the evidence upon this point which I have detailed in Vol. II. pp. 389–392. I see no reason to change the opinion there expressed. The letter of *three* commissions proves Dr. Bancroft to have been in error; and that of the first commission, issued in 1559, is strong presumptive evidence that succeeding commissions did not contain *less* powers. The testimony of Bishop Aylmer is not to be impeached; and Mr. Cartwright, in looking at some former commissions, may have been superficial, or his memory may have failed him.

answer. Therefore, I refuse not to swear simply but to swear *in such sort* as the Court do require. Surely *this* is not opposing the authority of the prince."

Some debate now arose upon the difference between the oath tendered by the Commissioners and that tendered by other courts. Mr. Cartwright affirmed that "in the other courts the oath was restrained to some particular matter which the deponent knew before he took the oath."[1] After some conversation upon other points, Mr. Attorney resumed: "Upon the other point which I allege against you, Mr. Cartwright, — your unlawful meetings and making of laws, — you have not touched."

"I am ready, sir; for my answer upon this point is before you.[2] If you so require, I will confirm it upon oath, viz. That we have never held conferences by any authority; we have never made any laws by any manner of compulsion to procure any obedience unto them; we have expressly stipulated by subscription that we do not so much as voluntarily and by mutual agreement practise anything contrary to *any* law in the land."

"Authority you had none," replied Dr. Bancroft, "and therefore could not use it."

"We might have had ecclesiastical jurisdiction of reproof, suspension, excommunication, degradation, — as we have been untruly charged to have done, — had we *thought it lawful* for us so to do."

"Take the oath," said the Bishop, "and then we

[1] Compare *ante*, Vol. II. p. 425.

[2] Probably in writing; according to his proposal on the eighth day of October when before the Commissioners.

will tell you wherein your answer is short and requireth addition."

"So, then, an oath shall not make an end to the controversy?"

"Mr. Cartwright," said Dr. Bancroft, "think you thus to go away into the clouds? or think you that you have to deal with men of so small judgment that we see not what is your drift? Do not we know from whom you draw your Discipline and church government? Do we not know their judgments and practice, which is to bring in further reformation by force and arms?"

"My meaning is not to hide myself in the clouds touching this matter, for it is one to which I have made a plain and direct denial. And if anything on this point of force and arms be doubtful, I will make it as plain, Mr. Doctor, as you can set it down. But I do now perceive that, if others of the Court be of like mind with yourself, all purgation of ourselves by oath will be in vain; for whatsoever we may depose, yet it will be answered that you know our drift well enough."[1]

"Mr. Cartwright," said the Bishop, "I ask you once again, will you take the oath?"

"I cannot."

"Enter an act of that answer, Mr. Register."

"Permit me to remind your lordship of your lordship's promise, that if I would first answer touching the oath, (which I have done,) I should be admitted to answer the charges given against me, which I am fully ready to do"; — referring to the charges made

[1] Compare *ante*, Vol. II. p. 406: "The respondent was never cleared upon his own denial," &c.

by the Bishop at the opening of the court, particularly to the statement that Mr. Cartwright had feigned sickness.

"I have no leisure to hear your answer. If you would answer, do it by private letter." Thus the Bishop charged Mr. Cartwright with lying, and himself broke his own open promise.[1] Mr. Cartwright was then sent back to prison.

Before the first day of June,[2] a bill was entered in the Star-Chamber "against him and the rest,"[3] charging them with certain doings in classical and synodical assemblies, with having done all they could to defame the ecclesiastical government, the established form of Common Prayer and of the administration of the sacraments, and with having refused the oath *ex officio*.[4]

To these articles the defendants gave their answers in writing, *swearing to the truth of the same*.[5] The most important points in their answers were: That they acknowledged her Majesty's supreme authority, *as expressed* in her injunctions and laws:[6] That they acknowledged the ecclesiastical govern-

[1] I have given the dialogue during this examination almost literally (except the omission of immaterial parts) as it is given by Mr. Strype in his Life of Whitgift, pp. 362–365, and in his Life of Aylmer, pp. 309–319. I have made no changes in the language, except just so far as to make it intelligible to modern readers.

[2] Strype's Whitgift, 371, 372.

[3] Ibid., 366.

[4] Ibid., Appendix, Book IV. No. IV.

[5] Strype's Whitgift, 371.

[6] If this seems to the reader inconsistent with what I have said Vol. II. p. 320, let him compare the last paragraph of the note, Vol. I. p. 523. Cartwright and his followers, while they assented to the language of the queen's injunctions (see Vol. I. pp. 149, 150) and laws concerning her supremacy, and held that the prince should support the decrees of the clergy, also held that he ought not to exercise spiritual jurisdiction. See Hallam, 114.

ment and the sacraments administered, together with the whole order of public prayer and ceremonies, to be such as no person ought therefor to make any schism or withdraw himself from the Church:[1] That they acknowledged that no synods, assemblies, or conventicles ought to be within her Majesty's dominions, to treat, conclude, or establish any constitutions *to be put in practice* in any ecclesiastical matter, or for the alteration of laws or ordinances, without her Majesty's authority and assent; but that meetings to talk of these matters peaceably, and only how to refer the same to authority established, they think lawful:[2] That the articles which they had subscribed in their assemblies were but a declaration of their *judgment*, leaving the determination to her Majesty and the Parliament:[3] That they had not used, or caused to be put in use, any other form of Common Prayer than that established:[4] That they desired reformation by law only, and not by force, which they hold unlawful, and protest they never purposed or thought the same:[5] That in their meetings they never took any authority to treat of or conclude any affairs of all the churches of the kingdom, or of any of them:[6] That they had never done or devised anything falsely or unjustly to deface or deprave the ecclesiastical government or Common Prayer, or administration of the sacraments:[7] That neither by letters or otherwise had they at any time persuaded any to

[1] Strype's Whitgift, Appendix, p. 142.
[2] Ibid., p. 143.
[3] Ibid., p. 145.
[4] Ibid., p. 146.
[5] Ibid., p. 147.
[6] Ibid., p. 148.
[7] Ibid., p. 149.

submit to the practice of their form of Discipline without the magistrate's authority: That they refused the oath only upon conscience, and not (as was alleged in the bill) to cover their purposes until, by multitude of complices, they could put the same into practice by force:[1] That they never purposed to use any means of reformation but teaching, prayer, and supplication to her Majesty and the Parliament, with declarations of the reasons moving them thereunto; and that to procure or intend any such seditious attempts as the bill insinuated, they unfeignedly declared were worthy of death temporal and eternal.[2]

Eight of the brethren had submitted to the oath *ex officio*, and had been sifted by the most searching questions.[3] Mr. Cartwright and several others — though refusing *that* oath — had replied upon oath to the several explicit charges of a formidable and minute bill. The Star-Chamber Court had arrayed its powers, and had appointed a doctor of divinity and a doctor of the civil law to help Mr. Attorney-General. The result of all these measures we record with satisfaction. "When all their wits" — referring to Popham and his helpers — "were laid together, there was no matter proved of any meetings or conventicles seditiously made and executed by Cartwright and his fellows. And at the last, the Lord Chief Justice persuaded the Lord Chancellor and the rest ..... that they should not deal against Cartwright and his fellows until

[1] Strype's Whitgift, Appendix, p. 150.

[2] Ibid., p. 151.

[3] Strype's Whitgift, 371; Appendix, Book IV. No. IX.

they should have matter to prove some seditious act *de facto* to be committed by them."[1] In other words, the bill was quashed, and the prosecution surceased in the Star-Chamber, *because they could not be sustained.*

Nothing more could be done with Mr. Cartwright and his "contumacious" brethren but to make them drink to the dregs the cup of a rigorous imprisonment. Yet not even by pretence was this enforced as a punishment for any overt crime, or intent of crime, against the State; but only for their disobeying the order of a *canonical* court, — an order at variance with the fundamental law of the realm. Virtually, these men had been acquitted by the most arbitrary secular court. What then must we think of the persistent tyranny of the ecclesiastical court which could, in face of this virtual acquittal, doom to the dungeon, by an illegal assumption of power, men of such character and such reputation? What was thought *then* of this arbitrary proceeding we shall soon show, and it will be an additional proof of our previous assertion that Archbishop Whitgift and his colleagues were *behind* the age. The case seemed now to be reduced to this simple question, — Who will first yield, the prisoners under the influence of a prison, or the Commissioners under the pressure of public opinion?

We turn to another document. On the thirteenth day of August, Mr. Cartwright — galled to the utmost stretch of Christian patience by disease and by those prison horrors which we shall notice here-

[1] Strype's Whitgift, 367.

after — wrote to the Lady Russel, a relative of the Lord Treasurer: "The fame that ariseth from your favor . . . . . hath no more steadiness than *the voice which is committed to the air, or writing engraven upon the water*. . . . . I beseech your honorable mediation, ... especially towards the Lord Treasurer. . . . . We thought the suit of ministers (some of whom have preached the Gospel thirty years of her Majesty's reign) upon reasonable bail to return to their homes would not have been refused. *Being refused* herein, I know not *what* we should make suit for. . . . . There is no ease *so small*, but we would gladly and thankfully embrace."

"Good my lord," wrote her ladyship, "read this through, and do what you can for the poor man."[1] These appeals seem to have produced some encouragement from his lordship; for in December Mr. Cartwright and his fellow-prisoners wrote to him bespeaking his good offices in furthering another petition which they were about to present to the Council for their enlargement upon bail.[2] Impediments had been thrown in the way of their access to her Majesty by petition.[3] Still, about the same time, — and probably upon some hint from Lord Burleigh, — they addressed her by letter "in vindication of their innocency."[4] In this interesting

[1] Strype's Annals, VII. 68 – 72.

[2] Ibid., 101 – 103.

[3] Ibid., 70.

[4] This letter is given by Mr. Strype (Annals, VII. 120), as bearing date of "April, 1592." So Brook and Neal. But I have ventured to suppose it to have been written before January 15th, 1591–2, and for this reason; that Mr. Cartwright, in a letter to Lord Burleigh of *that* date, mentioned this very letter — and identified it by citing a part of its contents — as having been previously "presented to her Majesty." (Strype's Annals, VII. 67.)

Paper they complained that, upon mere suspicion of heinous crimes, and without open accusation and witnesses, they had been required to take an oath of inquisition, and, for refusing it, had long been imprisoned, and all, save one, had been deprived of their livings and degraded from the ministry.[1] In stating why they had refused the oath, they wrote: "It is to answer whatsoever shall be demanded of us," . . . . . for which "we find neither rule nor example in the Word of God. . . . . It is to inquire of our private speeches with our nearest friends, — yea, of the very secret thoughts and intents of our hearts, — that so we may furnish both accusation and proof against ourselves, which was not used to be done in causes of heresy and high treason. 'For,' says the statute of your most noble father,[2] 'that the most expert and best learned cannot escape the danger of such captious interrogations which are accustomed to be administered by the *Ordinaries* of this realm; as also that it standeth not with the right order of justice . . . . . that any should be put to the loss of life, good name, or goods, unless it be by due accusation and witness, or by presentment, verdict,' &c.; 'and further, for the avoiding untrue accusation and presentment, which might be maliciously conspired, ... *none shall be put to answer but upon accusations and presentments taken in open and manifest courts by the oath of twelve men.*'" They then proceeded to deny the charges, that they intended schism; that they held the Church as established to be no true visible Church of God; that they purposed

[1] Strype's Annals, VII. 120. [2] 25 Henry VIII. Cap. 14.

rebellion by force of arms; that they impeached her Majesty's supremacy; that they assumed ecclesiastical authority, &c.; which charges they effectually refuted so far as it was possible for the most solemn language of appeal to Almighty God to do.[1]

These several measures were followed by some amelioration of their condition. All the petitioners *except Mr. Cartwright* had liberty granted by the Archbishop to leave their prisons on Sundays to attend public worship, and on any other day of the week, if any one of them should allege *a special cause of business;* they giving bonds in the sum of twenty pounds each to return to their prisons at night.[2]

Ten days afterwards, Mr. Cartwright wrote to the Lord Treasurer, desiring further intervention for such relief as his lordship might be able to procure. "Hitherto," he added, "I have forborne to make suit to his Grace, because, in the late Lord Chancellor's lifetime,[3] he denied me that favor which he granted unto others of my fellows in the same cause. Howbeit, as your lordship may think my suit unto his Grace to be the way, I have pre-

[1] Strype's Annals, VII. 121–127.

[2] Ibid., 66; Cartwright to Burleigh, January 15th, 1591–2.

Mr. Strype says (Life of Whitgift, 338) that this liberty was granted to Mr. Cartwright also. But Mr. Cartwright, in the letter which I quote, speaks of it as having been granted only "to my fellow-prisoners in the Clink and White-lion"; and, in closing his letter, says, "I humbly beseech your lordship . . . . to use your honorable means for *my* liberty or bail."

[3] Hatton died Nov. 20th, 1591. In this sentence Mr. Cartwright alludes, I think, to the fact stated in his letter of August to Lady Russel, that he himself was forbidden ameliorating privileges during his prison life which were allowed to his fellow-prisoners. (Strype's Annals, VII. 70.)

pared my petition, and will refer or forbear it as I may understand to be your lordship's pleasure."[1]

The Lords of Council, having secured for Mr. Cartwright's brethren in bonds the slight privilege which we have mentioned, had also signified that "the *deliverance* of all of them would shortly be accomplished." The same had been signified by his Grace in particular. But after waiting several weeks for the fulfilment of their hope, and the Lord Treasurer (doubtless), in reply to Mr. Cartwright, having advised the proceeding, they addressed his Grace directly, praying for entire release from restraint, upon giving bonds to appear whenever their cause should be called up for decision.[2] The Archbishop assented to their prayer, on condition that they should subscribe a certain Paper, which, for the most part, contained only such opinions as they had already most solemnly avowed. But it contained a few clauses in effect as follows: — that her Majesty's relation to the Church, and that the Church as established, were in accordance as well with *God's* law as with the laws of the realm; that assemblies, not authorized by her Majesty, for *consulting* upon ecclesiastical alterations desirable, were *seditious;* and that the Presbyterian form of church government was not only unlawful, but dangerous for the state of the realm.[3]

His Grace must have known full well that — unless the spirit of these men had been crushed — they would never sign a Paper which, to use

[1] Strype's Whitgift, 370.
[2] Ibid., 369, 370.
[3] Strype's Whitgift, Appendix, Book IV. No. V.

their own words to Lord Burleigh, "seemed to impose upon us a confession of guilt in the things we are charged with, and to say otherwise than is truth. . . . . Now therefore we come unto your lordship to stand our good lord that we may have *bail without further drawing us upon such conditions* . . . . . until such time as it shall please their Honors to call for us."[1] Of course the Archbishop's conditions were refused.[2]

These protracted and but slightly mitigated proceedings against men of long-tried integrity, against men of world-wide reputation as scholars and as Christian ministers, against men too who could call God to witness that their consciences did not accuse them of having violated any law of the land,[3] produced great public indignation; another fact indicating that the Archbishop and his associates were behind their age. "Magistrates petitioned against the iniquity of punishing without trial, and of condemning without a hearing; and the Privy Council were angry."[4] "Tongues and pens" were roused against the jurisdiction of the High Commission Court, ". . . . . exclaiming *everywhere:* That men were unworthily oppressed in the ecclesiastical courts, contrary to the laws of the land: That the queen could not by law grant any such authority, neither could others exercise it though it were granted: and that those courts could not urge the party accused with the oath

[1] Strype's Whitgift, 370; Appendix, Book IV. No. VI. — Cartwright and others to Burleigh, March 1st, 1591–2.

[2] Strype's Whitgift, Appendix, p 153.

[3] Ibid., 154.

[4] Marsden, 176.

ex officio, forasmuch as no man was bound to accuse himself." These doctrines were controverted, to be sure, by the professors of the canon law,—the minions of priestly rule; but they show none the less the movement of a true, strong, and constitutional current destined to undermine that rule.[1] King James of Scotland, also, who had before offered Mr. Cartwright a professorship in the University of St. Andrews,[2] pleaded with Queen Elizabeth, in a letter dated July 12th, 1591, that she would "stay any harder usage of Mr. Cartwright and certain other ministers of the Gospel within her realm, ... and that it might please her to let them be relieved of their present strait."[3] Sir Francis Knollys wrote to the Lord Treasurer in January, 1591–2: "I do marvel how her Majesty can be persuaded that she is in as much danger of such as are called Puritans, as she is of Papists. And yet her Majesty cannot be ignorant that the Puritans are not able to change the government of the clergy, but only by petition at her Majesty's hands. And yet her Majesty cannot do it; but she must call a Parliament for it, and no Act can pass thereof unless her Majesty shall give her royal assent thereto. And as touching their seditious going about the same, if the bishops, or my Lord Chancellor, or any for them, *could* have proved *de facto*, that Cartwright and his fellow-prisoners had gone about any such matter seditiously, then Cartwright and his followers had been hanged before this time. But her Majesty *must keep a form* of

[1] Camden, 454, 455.
[2] Brook, II. 147.
[3] Fuller, Book IX. p. 203. Heylin's Presb., Book IX. Sec. 19.

justice, as well against Puritans as any other subjects, so that they may be tried *in time convenient*, whether they be suspected for sedition or treason, or whatever name you shall give unto it, being Puritanism or otherwise."[1] In February, some of the doctors of the University of Cambridge also wrote to the Lord Treasurer in behalf of "divers of the true friends and lovers of the Gospel, who, though carrying themselves in dutiful and peaceable sort, had tasted in some measure of more hard severity than many known Papists. . . . . Our intent," said they, "is not to commend unto your lordship's care any causes or persons in particular, or to move anything in general, otherwise than may stand with the present state established and the peace of our Jerusalem; but only that it may please your lordship to add to your godly zeal and wise care the furthering, relieving, and comforting the true and peaceable professors of the Gospel, as your wisdom best knoweth how."[2] Lord Burleigh himself was excited about these matters, and was "bold to tell her Majesty that he thought the bishops took a very ill and unadvised course."[3]

Notwithstanding these many remonstrances, we do not find that any further relief was given either to Mr. Cartwright and "his fellows for the same cause," or to the despised Brownists, who were then like sufferers, and whose cases were also included. The queen, imagining herself "in as much danger of the Puritans as she was of the Papists,"

[1] Wright, II. 417.
[2] Strype's Whitgift, Appendix, Book IV. No. VII.
[3] Marsden. 175.

and conceiving that "in this business her authority was shot at through the bishops' sides, ... maintained the ecclesiastical jurisdiction inviolate against all opposers."[1]

Mr. Cartwright and his brethren remained, without a gleam of hope, in their respective prisons.

[1] Camden, 455. Heylin's Presb., Book IX. Sec. 318.

CHAPTER XII.

PURITANS IN THE SECULAR COURTS.

ROBERT CAWDREY ARRAIGNED, DEPRIVED, AND DEPOSED. — LORD BURLEIGH ADVISES HIS APPEAL TO LAW. — MR. CAWDREY COMMENCES A SUIT TO TEST, BY MUNICIPAL LAW, THE PRACTICE OF ECCLESIASTICAL COURTS. — THE VERDICT OF THE JURY UPON THE FACTS. — THEY REFER TO THE COURT WHETHER HIS DEPRIVATION WAS, OR WAS NOT, WARRANTED BY LAW. — THE ARGUMENT UPON THIS POINT FOR THE PLAINTIFF. — THE REBUTTING ARGUMENT OF THE COURT. — A REVIEW OF THIS ARGUMENT. — THE INDIGNATION OF LORD BURLEIGH AND OF THE PEOPLE. — JOHN UDAL ARRAIGNED BEFORE THE ASSIZES AT CROYDEN. — HIS INDICTMENT. — HIS PREVIOUS TROUBLES. — HIS TRIAL. — THE VERDICT, GUILTY OF FELONY. — THE COURT URGE HIM TO SUBMISSION. — HIS PLEA FOR STAYING OF SENTENCE. — IS SENTENCED TO DEATH. — ORDER FOR HIS RESPITE. — HIS CONFERENCE WITH A MESSENGER FROM THE QUEEN. — SIR WALTER RALEIGH INTERFERES IN HIS BEHALF. — ANOTHER OVERTURE. — MR. UDAL SIGNS AN ACKNOWLEDGMENT. — THE ARCHBISHOP UNWILLING FOR HIS PARDON. — THE LONDON MERCHANTS SEEK HIS LIBERATION; BUT IN VAIN. — HIS SUFFERINGS AND DEATH IN PRISON. — CONSIDERATIONS UPON HIS CASE.

1590–1592.

THE strife of religious parties was thickening. Stern, jealous, Procustean ecclesiasticism, with its anathemas, its jailers, its secret tortures, and its hangmen, stood arrayed against high-minded but loyal Puritanism, which had no earthly might but remonstrance and endurance. Yet this despised might — like the water which trickles beneath a sandy foundation, and which no daubing with untempered mortar can check — was undermining the towering structure whose very pressure had forced

its flow. The High Court of Commission — like the Roc of Eastern fable — had struck out wing and talon, and was swooping up its prey. Such prey! the choice ones of the flock of Christ! For the slightest ceremonial delinquency, the humble curate was beggared. For private and peaceable consultation upon lawful measures for ecclesiastical reform, the faithful adherent of the Church was consigned to a common prison, with the common herd of profligates. So also was the bolder, but no less offensive, Separatist. Between the years of 1586 and 1593, countless were the moans of Christ's disciples, whom he heard, comforted, and purified under their afflictions. Their stifled cries came not out to the busy crowds of London and Southwark; but from the noisome prisons of the White-lion, the Clink, the Fleet, the Gate-house, Newgate, Bridewell, the Wood-Street Counter, and the Poultry Counter, they went *up*. The last whisper of affection, the last smile of hope, the last sigh of life from many souls ripe for heaven, were witnessed by the gloomy walls whence God took them to himself, and by the wondering reprobates from whom he delivered them. Some of them murmured their last invocation upon the gallows. But we anticipate a narrative whose details throng upon our vision. We resume, through many pages to verify our words.

In the midst of these fiery trials, one man was destined to play an *aggressive* part. In view of its moral effect, we think it an important part. The rector of Luffenham, in the tiny county of Rutland,[1]

[1] Coke, Part V. p. i.

was a man of good repute as a scholar, a preacher, and a Christian.[1] This man, Robert Cawdrey, happening in the pulpit to allude to a point in the communion book which seemed to warrant an ignorant and unfaithful ministry, exclaimed, under the excitement of the moment, "A vile book! Fie upon it!" Except in not using the sign of the cross and the ring in baptism and marriage, and in not wearing the surplice, a robe offensive to his parishioners, he was a conformist.[2] These six words cost him five several citations before the Consistory of St. Paul's, a temporary imprisonment, twenty-two journeys to London, much money, the deprivation of his living, suspension, and finally, by decree of the High Commission at Lambeth, deposition from the ministry.[3] While these matters were in progress, from November, 1586, to May, 1590, the Lord Treasurer, after thoroughly investigating the case upon the representations of each party, had done all in his power to arrest the proceedings, but to no purpose.[4] Mr. Cawdrey was deprived because he had spoken against the book, and because he would not bind himself to conform to it in every particular.[5] He was deposed because, instead of submitting to the sentences of the Consistory, he still claimed title to the living and pastoral office of Luffenham.[6] Upon the sentence of the Commissioners, the Bishop of Peterborough, his

[1] Neal, I. 195. Brook, I. 430.

[2] Brook, I. 434. Strype's Aylmer, 130.

[3] Strype's Aylmer, 129, 130, 142, 143. Brook, I. 430–439, 441.

[4] Brook, I. 436.

[5] Ibid., 436, 438. Strype's Aylmer, 129, 130, 139. Coke, Part V. p. iii.

[6] Strype's Aylmer, 130, 139.

diocesan, sequestered him from his benefice and supplied it with his own chaplain, George Atton.[1]

We have already stated that it had been thought best by the Puritans that no minister — except in special cases — should abide by deprivation from the ministry decreed by the bishops, but that he should continue therein until otherwise compelled by the courts of common law. Upon this opinion, Mr. Cawdrey resolved to act. The Lord Treasurer, earnestly espousing his cause, had advised that Mr. Morrice, an able and learned barrister, should prosecute the case at law; but that he should first present to the Commissioners the legal exceptions to their proceedings, with the request that they would thereupon "review and examine" the case.[2] The attorney consented, and proceeded accordingly. The Commissioners having taken shelter behind the ecclesiastical law from the legal exceptions submitted to them, Mr. Cawdrey, in January, 1591–2, brought an action of trespass in the Exchequer Court[3] against George Atton, who had been instated in his place at Luffenham. His chief object was to bring the practice of the ecclesiastical courts to the test of the municipal law. The defendant pleaded not guilty, and the jury gave a special verdict. They found the truth of the case at large, referring the same for the law in the case to the judgment of the Court. They found that the plaintiff before the time of the trespass supposed was

[1] Strype's Aylmer, 140. Coke, Part V. p. i.

[2] Strype's Aylmer, 140, 141. Brook I. 440.

[3] Heylin's Presb., Book IX. Sec. 20. Neal, I. 196.

parson of the rectory of Luffenham, whereof the place wherein the trespass was alleged was parcel. They also found that the plaintiff before the time of the trespass supposed was deprived of his said benefice by the High Commissioners, both for having preached against the Book of Common Prayer and for refusing to celebrate divine service according to the said book. And the jury concluded their verdict thus: That if the said deprivation were not warranted by law, but void, then they found the defendant guilty of the trespass; and if the deprivation were not void in law, then they found the defendant not guilty.[1] Thus the final question to be resolved by the Court was, whether the deprivation was, or was not, warranted by law.

The argument for the plaintiff was as follows. The offence for which he has been deprived is against the Act of Uniformity and against none other Act or law; and consequently he ought to have been proceeded with and punished according to the same; and that, whether the proviso in its eleventh section — whereby ecclesiastical judges were authorized to take cognizance, as had been customary by the ecclesiastical laws, of offences against the Act — extended to the High Commission, or whether it did not.[2] This Act provides that the offender for the *first* offence shall not be deprived, but shall only lose the profits of his ecclesiastical living for one year, and suffer imprisonment for six months. And such care hath the Act for the offender in this behalf, that if he commit one offence, and then another, and after the

[1] Coke, Part V. pp. i., iii. [2] Ibid., p. iv.

second many more, yet shall he not be deprived for any of the latter offences unless he has been first judicially convicted of record by verdict of twelve men, or by confession, or notorious evidence of the fact. Thus the *second* offence, for which only by the said act he may be *deprived*, must have been committed *after* such a judicial and solemn conviction. Then, upon a like conviction for a second offence, committed after *such* conviction, deprivation may follow.[1] But in the case now in question, the plaintiff was deprived from his parsonage for his said *first* offence, being never convented or convicted for any such offence before. Therefore the High Commissioners have not pursued the form and order prescribed by the said Act; and consequently the deprivation of the plaintiff is void, and judgment ought to be given for him. The strength of the argument on this side was in this one point. Other points were urged; but they were comparatively trivial, — legal quibbles, according to our apprehension of them, — affecting indirectly, and serving only, it would seem, to complicate and encumber, the question at issue. We therefore pass them.

On the other hand, it was resolved by the whole Court, that, notwithstanding this objection grounded

[1] The words of the statute are: "If any minister .... shall speak anything in derogation or depraving of the said book, ... and shall be thereof lawfully convicted, ... he shall .... forfeit .... for his first offence the profit of all his spiritual benefices .... arising in one whole year next after his conviction; and also suffer imprisonment by the space of six months. .... And if any such person, *once convict* of any offence concerning the premises, shall *after the first conviction* offend, *and* be in form aforesaid lawfully convicted, ... he shall, for his *second* offence, suffer imprisonment by the space of one whole year, and also shall be deprived *ipso facto* of all his spiritual promotions."

upon the said Act of Parliament, the sentence of deprivation was not to be impeached, and that for three causes. *First*, that the said Act, being in the affirmative, does not abrogate or take away the jurisdiction ecclesiastical unless words in the negative had been added, as, "and not otherwise"; or, "in no other manner or form"; or to the like effect. *Second*, if that Act had never inflicted any punishment for depraving or not observing the Book of Common Prayer, yet, the same being commanded to be observed, the ecclesiastical judges may deprive such an offender as well for the first offence as they might have done by the censures of the Church and the ecclesiastical laws as if no form of punishment had been inflicted by that Act; and this doth evidently appear. For thereby, notwithstanding anything in that Act contained, they may punish such offenders by admonition, excommunication, sequestration, or deprivation, and other censure and process, in like form as heretofore has been used in like cases by the queen's ecclesiastical laws; and are not bound to pursue the form prescribed by the said Act, which is to punish the offender by the temporal law. *Third*. It was also resolved by the whole Court, that the sentence given by the bishop, by consent of his colleagues, was such as the judges of the common law ought to allow to be given according to the ecclesiastical laws: For, seeing their authority is to proceed and give sentence in ecclesiastical causes according to ecclesiastical law, and they have given a sentence in a cause ecclesiastical upon their proceedings by force of that law, the judges of the

common law ought to give faith and credit to their sentence, and to allow it to be done *according* to the ecclesiastical law.[1]

Disclaiming all right of position upon the field of legal dialectics and exegesis, may we not be permitted to inspect this decision from a humbler stand-point?

Archbishops, bishops, and their chancellors, commissaries and archdeacons, and other ordinaries, derived their authority to prosecute offences against "the Act of Uniformity which might occur within their respective jurisdictions," from the Act itself.[2] But the High Commission Court, whose deprivation of the plaintiff was now challenged, derived their authority primarily from the Act of Supremacy and immediately from the queen's commission. It will be perceived that the arguments for the legality or illegality of their proceedings in this particular case were directed to two questions, — whether they were bound, or not, to proceed according to the Act of Uniformity; and whether, if at liberty to proceed according to ecclesiastical law, they had or had not so proceeded.

The Act of Supremacy — the foundation of their powers — authorized them to exercise ecclesiastical jurisdiction under her Highness; and, in so doing, to correct all such offences as by any ecclesiastical power might *lawfully* be corrected.[3] The queen's commission was of like tenor. It empowered them only "to reform offences which might *lawfully* be reformed by censures ecclesiastical, deprivation, or otherwise"; — and, as if this were not sufficiently

[1] Coke, Part V. pp. v. – vii.
[2] Secs. IV., XI.
[3] *Ante*, Vol. II. pp. 394, 395.

explicit, the commission added, — "according to the power *limited* by the laws, ordinances, and statutes of the realm."[1] Now one would naturally suppose that the Commissioners were distinctly bound by the words of the Act of Supremacy, and as emphatically by the words of their commission, to administer deprivation "lawfully," — not merely lawfully in a canonical sense, but "according to the power *limited* by the laws, ordinances, and statutes of the realm," of which the Act of Uniformity was one. But the judges decided otherwise; that the Commissioners might prosecute and punish *without* "limiting" themselves by that Act or by any other.

One would naturally suppose, also, that an Act which describes an offence, and prescribes how it shall be prosecuted and punished, must solely intend that it should be *so* prosecuted and *so* punished, and not otherwise, whether by one Court or another, and in all cases; and that therefore the High Court of Commission, however in some cases they might proceed by the canon law, were in the case now under consideration tied to the statute law. So thought Mr. Cawdrey's counsel. But the Court decided that the Commissioners were not thus bound, and even that they might prosecute and punish *contrary* to it.

But the Commissioners stood in a distinct relation to another statute; a relation which, we think, was at least alluded to by the plaintiff's counsel, although it is not mentioned in the report of the case.[2] The Act 25 Henry VIII. Cap. XIX., which

[1] *Ante*, Vol. II p. 388.

[2] Sir Edward Coke drew up this report many years after the prosecution; so that we can by no means

we have before brought to notice, enacted that no canons — and much more, was the obvious implication, no ecclesiastical proceedings — were of force which "were repugnant, contrarient, or derogatory to the laws or statutes of the realm"; thus making the latter of paramount authority.[1] The radical restriction imposed by this statute was in force, because it had been revived by Elizabeth's first Parliament; and so comprehensive was this restriction as to bind the Commissioners to respect intact, not only the statute laws, but the common law of the realm.[2] In other words, and to repeat what we have said before, by this Act they could have no authority, even from their commission itself, to prosecute or to punish, in a single case, in any way except as prescribed or permitted by the laws of the realm.[3] But in depriving the plaintiff of his benefice, the Commissioners *did* punish otherwise than as prescribed and permitted by the Act of Uniformity. They did more. They proceeded in a manner and to a punishment "repugnant, contrarient, and derogatory" to that law. And the ruling of the Court in Cawdrey's case justified them in doing so.

Thus much, under the simple guidance of what we

be confident that he states *every* argument which was presented. Yet neither the lapse of time, nor any conjecture, enables me to account for the statement which he puts into the mouth of Mr. Cawdrey's counsel, that "he was deprived by default, in respect he appeared not, being duly precognized or warned." (Coke, Part V. p. iv.) Mr. Strype states positively (Strype's Aylmer, 139) that he did appear before the Commissioners when his sentence was pronounced, and that he then and there objected to their sentence as illegal.

[1] *Ante*, Vol. I. p. 379, note.

[2] Blackstone, I. 83, 84; III. 87, 100. Coke, Part XII. p. 29.

[3] *Ante*, Vol. II. pp. 396, 397.

trust is common sense, upon the question whether the High Court of Commission were, or were not, bound to proceed according to any statute when dealing with offences against it, and when itself prescribed positively the mode of procedure and the degrees of punishment.

But another question occurred, — whether the Commissioners had even kept to the *ecclesiastical* law in their proceedings and sentence. Now the Act of Uniformity was itself an ecclesiastical law, as well as a statute of the realm. Contrary to *this* ecclesiastical law they had certainly proceeded; and this was admitted by the judges. But the counsel for the plaintiff — in particulars which we have thought it unnecessary to adduce — also alleged that they had proceeded contrary to other ecclesiastical laws.[1] By ecclesiastical law, admonition, excommunication, and sequestration should have been awarded to the plaintiff *before* deprivation. Whereas, the first sentence pronounced against him was for the last and most severe punishment, — "which was not warrantable by the Act of Uniformity, nor *any other* of the queen's ecclesiastical laws."[2] Whether this objection of fact was urged in open court or not, does not appear in the report. But whether it was then urged or not, it was known there, for it had been pressed upon the attention of the Commissioners themselves. However, the Court cut off all pleading on this question by their last resolution, which was, in effect, that the doings of the ecclesiastical courts were

[1] Coke, Part V. pp. iv., v. [2] Strype's Aylmer, 132.

beyond the cognizance of the temporal, and were not to be scrutinized by them, but were to be regarded as if the ecclesiastical judges were judicially infallible and impeccable.

Thus this decision released those courts from all obligation to abide by statute law or by the common law; conceded to them the monstrous prerogative of proceeding in direct contrariety to such laws; and, by shielding them from all inquisition, even allowed them to infringe, if they pleased, upon the slight restraints imposed by the canon law. To us, this seems none otherwise than simply placing them above all restraint, and giving them absolute power, however tyrannical, over all upon whom they might lay their grasp. And when we find the Court of Exchequer, through their whole ruling in the case, hiding themselves and all legal rights behind the ecclesiastical law; when we find them erecting a screen around the ecclesiastical courts, not to be penetrated except as it were by sacrilege; and when we find them ignoring the special Act 25 Henry VIII., and all others by that Act protected, — we think we find the ground fairly marked out on which was at last fought the great battle between priestly absolutism and political freedom.

This, we believe, was the first, though not the last instance, during the reign of Archbishop Whitgift, of any attempt to bring the ecclesiastical tribunals to the judgment of the temporal. It failed. The failure made it evident that no convict ecclesiastical, while this decision should be sustained, could have remedy in the temporal courts

against even an illegal sentence.[1] For a while, the sufferers succumbed, having no hope but in any chance caprice for mercy on the part of the Commissioners.

But, although by this decision the High Court of Commission was stayed up, and "its power better fortified than it had been formerly,"[2] there was a reacting under-current. Outside the tribunals, the odor of this decision was offensive. Lord Burleigh was indignant. He again interceded for Mr. Cawdrey, requesting, though in vain, that he might be restored to his ministry;[3] thus protesting, by implication, that the decision of the Court was a judicial iniquity. The moral sense of the people was outraged, — for this case occurred simultaneously with that of Mr. Cartwright, — and vented itself, as was mentioned at the close of the last chapter, in a torrent of remonstrance against the powers of the Commissioners, — a torrent before which they quailed.

Croydon was a small market-town, of a few thousand inhabitants, in the county of Surrey, about ten miles from London. We have had occasion to mention it before, incidentally, as one of the archiepiscopal residences. The palace of the archbishopric there has since been converted into a factory of cotton goods. The twenty-fourth day of July, 1590,[4] did not happen to be a market-day there, but it was a day of great bustle. Many people were gathered, especially around the building in which

[1] *Ante*, Vol. II. p. 70.
[2] Heylin's Presb., Book IX. Sec. 21.
[3] Strype's Aylmer, 147.
[4] Hargrave, I. 171. Howell, I. 1277.

the assize of the county was about to convene. There were many jokes bandied to and fro in the crowd about the villains upon the eve of trial for their lives; and many were the surmises about how the case would go with this and that culprit. Gossip enough there was, much of which betokened more brutality than humanity. Suddenly all this chatter was hushed, for the Sheriff appeared making his way through the crowd with some half-dozen prisoners. Tongues gave way to eyes. The group of criminals passed slowly along, their fetters clanking at every step and grating upon every ear. Defiance was in the air of each, and upon each face an expression of malice which seemed to chill the rabble. "Of each" — with one exception. One prisoner whose chains clattered about him[1] was of a different mould. When the people noted his mild and placid look, the shout of execration just quivering upon their lips was changed for a suppressed but universal moan. "Good God!" whispered one. "God and his angels defend us!" murmured another. "It 's the parson of Kingston!" "God's malison on the Commissioners!" Such mutterings passed along as the prisoners slowly dragged their way to the hall of judgment. When they appeared there, — and the crowd, — there was a deathlike silence, interrupted only by the cry, "Hear ye! hear ye! If any one hath cause," &c. Then came a momentary sway of the people, and a rustle, — and all was still again. To see there a well-known preacher of the Gospel, a

[1] Pierce, 132. Neal, I. 191. Brook, II. 13. Oldys's Life of Raleigh, p. lvii.

man of repute for his talents, his profound learning,[1] his blameless life, his "powerful praying," and his eloquent "painful preaching,"[2] — to see *him* there, a companion of felons and in chains, had taken the people by surprise. It was well known that he was in the clutches of a special commission; but it was not known to the common people until now, that he had been handed over to a civil tribunal to be tried for his life. And as he stood there chained, side by side with the vilest of men, their hatred of the ecclesiastical tribunals gave way to their pity for the good. Mr. Baron Clarke and Mr. Serjeant Puckering sat upon the Bench.

"John Udal, hold up your hand. John Udal, late of London, Clerk, thou art indicted for that, not having the fear of God before thine eyes, but being stirred up by the instigation and motion of the Devil, and seditiously intending and contriving an active rebellion against this realm, ... didst set forth and maliciously publish a certain slanderous, infamous, and seditious libel against the Queen's Majesty, her crown and dignity, entitled "A Demonstration of that Discipline which Christ hath prescribed," &c.[3]

We have already given a slight sketch of Mr. Udal's previous persecutions.[4] After a ministry at Newcastle of about a year, — a ministry "greatly

[1] While in prison he prepared the first Hebrew Grammar ever published in English. (Fuller, Book IX. p. 222. Collier, VII. 118, note.)

[2] Fuller, Book IX. p. 122.

[3] Hargrave, I. 171, Howell, I. 1277, and Strype's Annals, VII. 28, (Serjeant Puckering's MS.) collated.

[4] *Ante*, pp. 253, 254.

blessed to many souls,"[1] — he had been summoned to London by Lord Hunsdon, in the name of the Privy Council. At the cost and fatigue of a journey of eleven days, "in the sorest weather that could be," he had arrived at London, January 9th, 1589–90. On the thirteenth day of the month, he had undergone a long examination before certain "Commissioners," (whom we suppose to have been specially appointed to examine his case,) at the house of Lord Cobham; by whom he was ordered "to answer concerning certain books *thought* to be of his making," particularly concerning "The Demonstration of Discipline" and "A Dialogue." When demanded whether he made these books, or knew who had made them, he had declined to answer; saying, "I think the author, for anything I know, did well; and I know that he is inquired for to be punished. Therefore I think it my duty to hinder the finding of him out, which I cannot do better than thus." In this he had persisted, although his inquisitors had "used many words to persuade him." He had then been sent to the Gate-house and kept close prisoner six months; not allowed pen, ink, or paper, or any one to speak with him except his wife occasionally, and she only *in the hearing of his jailer*. His "chamber-fellows" there had been Seminary priests, traitors, and professed Papists. From the Gate-house, he had been removed to the White-lion in Southwark, and thence to Croydon.[2]

We quote the passages in "The Demonstration" which were alleged against Mr. Udal in the in-

[1] Brook, II. 10. Pierce, 129.
[2] Howell, I. 1271–1277. Hargrave, I. 167–171.

dictment. They were contained in the Preface of the book, and were addressed "To the *supposed* governors of the Church of England." "Who can without blushing deny you to be the cause of all ungodliness? seeing your government is that which giveth leave to a man to be anything saving a sound Christian, in retaining that Popish hierarchy first reigning in the midst of the mystery of iniquity and that filthy sink of the canon law. Certainly it is more free in these days to be a Papist, an Anabaptist, of the Family of Love, yea, any most wicked whatsoever, than that which we should be. And I could live these twenty years in England (yea, in a bishop's house it may be), and never be much molested for it;[1] so true it is, that which you are charged with in 'A Dialogue' lately come forth against you, and since burned by you, you care for nothing but the maintenance of your dignities, be it to the damnation of your own souls and infinite millions more."[2] Mr. Udal was indicted as being the author of the whole book, "The Demonstration"; but with more special reference to this prefatory passage, as being "to the defamation of the queen, to the subversion of the laws, to the instigation of rebellion, and contrary to the statute in such case made and provided."[3] His indictment having been read, Mr. Udal was required to plead. He craved leave to answer by counsel, which was refused. He then pleaded "Not Guilty"; and when

[1] See as proof, *ante*, Vol. II. pp. 260, 261.

[2] Strype's Annals, VII. 28, 29; Puckering's MS. Fuller, Book IX. pp. 221, 222. Heylin's Presb., Book IX. Sec. XI. Collier, VII. 117, 118. Strype's Whitgift, 343.

[3] Puckering's MS., Strype's Annals, VII. 28, 29.

he asked how many of the jury he might challenge, he was answered, "Nay, I sit to judge, and not to give you counsel." He then craved of the Court, that when Mr. Daulton, the counsel for the queen, had spoken to one particular point, he might be forthwith permitted to answer, and without interruption. This was granted. The prosecuting attorney then inveighed severely against Puritanism and against Puritans in general, "who would," said he, "have a pastor or shepherd over every congregation whereby to take the government out of her Majesty's hand, and so her to be one of their sheep. No! her Majesty is no sheep under any shepherd in the world but Christ!"[1]

[1] It was certainly somewhat inconsistent with this assertion, and equally so with her Majesty's position as *supreme* Governess of the the Church, that, year after year, "she would not in Lent eat any flesh until she had first obtained a solemn license from the Archbishop of Canterbury." (Fuller, Book IX. p. 182.) Archbishop Parker gave a remarkable opinion upon dispensations granted to the Head of the Church; and it is the more worthy of our notice because vouched by Archbishop Whitgift. "Whereas it is objected that the queen herself is dispensed with in some cases (which is a dishonor to her, having supreme authority) by the Archbishop, who is a subject: The answer is, that Archbishop Cranmer was judge of the divorce between King Henry and Queen Catherine, and gave sentence. Nor was there anything derogated from the king's honor thereby. And it is not absurd, or dissonant to the notion of honor, that bishops and priests should exercise their ecclesiastical functions towards princes and kings themselves." (Strype's Whitgift, 195.)

There is no reasoning in this opinion, hardly coherence. Nor is the difficulty at all met. Indeed, the oracle would not be worth noticing, except that it concedes an important point afterwards in controversy. The Puritans — as in the text — were charged with propounding a dishonor to the queen, in suggesting that she, like others, should be subject to ecclesiastical discipline — i. e. be deprived of spiritual privileges (Neal, II. 447) — for any scandal which by her manner of life she might occasion to the cause of Christ. Their true doctrine upon this point I shall bring to view hereafter. Pray, how much more "absurd or dissonant to the notion of princely honor," that a Synod of Presbyterian clergy — if Presbytery

"Mr. Daulton hath used a very large speech, which doth nothing concern to prove the indictment," said Mr. Udal; "and therefore, seeing I am not called upon to dispute, I will not answer it."

"Sirrah! sirrah! answer to the matter which Mr. Daulton hath against you. Mr. Daulton, proceed to the proof."

"I will prove three points; first, that he had a malicious intent in making this book; second, that he is the author of it; third, that these matters contained in the indictment are felony by the Statute 23 Elizabeth, Chapter II."

The proof of the first point consisted of certain statements, made in writing by Stephen Chatfield, Mr. Udal's successor at Kingston, to the Archbishop. They were, "that he had seen in Mr. Udal's study certain Papers which *tended*, as he *supposed*, to the making of such a book as this, and that Mr. Udal had said to him, that, if the bishops put him to silence, they would give him occasion and leisure to be employed in writing against them." This statement Mr. Chatfield had made when irritated by the appearance of Martin's first tract, and at the instigation of one Harvey and other parishioners of Mr. Udal, who had been made to wince every Sunday under his pungent rebukes of sin. But Mr. Chatfield had since bitterly deplored that

were the government established by law — "should exercise their ecclesiastical functions towards princes," than that a prelatic Synod should, or a single man, — an Archbishop? And if in either case the "ecclesiastical function" might be exercised in the matter of dispensation, is not the *principle* conceded? and may not the same function be exercised in other matters, — as depriving of spiritual privileges for proper reasons?

he had made this complaint. This Mr. Udal stated and offered to prove before the Court.[1]

"These statements prove," said Mr. Daulton, "that you had a purpose to write this book."

"Let the jury consider how that point is proved. On the other hand *I* can prove that this book was extant in men's hands *before my conference* with Mr. Chatfield."

"But," retorted Mr. Daulton, "you cannot deny the second point,[2] — malicious intent; for it is extant in your own words, that you would give the bishops such a blow by writing against them as they never had. Is not this most evident? What could be plainer?"

"I pray you, hear in what sense these words were uttered."

"The matter is clear," said Mr. Baron Clarke, "and we see what you can say to it well enough. Proceed, Mr. Daulton, to the proof of the second point."

"That you be the author," said Mr. Daulton, "shall be proved clearly to the jury before your face."

A Paper was then produced, purporting to be a statement made by Nicholas Thompkins, upon oath before her Majesty's Commissioners, that Mr. Udal himself had told him that he was the author of that book called "The Demonstration."

"My lords, I answer this testimony thus, denying it to be his; for if it be his, why is he not present to verify it face to face according to law? . . . .

[1] Howell, I. 1279, and Hargrave, I. 172, compared with Martin's "Epistle," p. 45.

[2] Meaning the second branch of the first point.

I am persuaded he was mazed, and answered he knew not what. . . . . I will verify it upon mine oath, if it please you, that he told me that he could not say, neither for a thousand pounds would he say, any more than this, — that he heard me say that I would not fear to set my name to that book if I might have impartial judges. And further, my lords, I have here some witnesses who will testify upon their oaths how diversely he hath reported of his statement before the Commissioners."

The witnesses then presented themselves; but it was ruled that, "*because their testimony was against the queen's Majesty*," — the prosecuting party, — "*they could not be heard.*"[1]

After much further discourse, the judge turned to Mr. Udal, — "What say you? Did you make the book, Udal? Yea or no! . . . . . Will you take your oath that you made it not? . . . . . Take your oath, and swear you did it not, and it shall suffice."

"My lords, the author is sought for, that he may be punished. Therefore, lest he should be found, if one after another that are suspected do deny it, it is thought best that every one neither confess nor deny."

"You of the jury consider well of this. It argueth that, if he were not guilty, he would clear himself."

The statement of Henry Sharpe, made upon oath, was then read: "That he heard Mr. Penry say that Mr. Udal was the author of 'The Demonstration.'"

[1] "It was never fully established that the prisoner could legally produce evidence against the Crown, till after the Revolution." (Hume, III. Appendix III. p. 254, note 1.)

"Reports be uncertain," said Mr. Udal in reply "And even if reports be held as true, the Archbishop himself told me that *Mr. Penry* made it; which is more forcible *for* me than any of Sharpe's reports can be *against* me. . . . . Besides, here is one man saying that *another* said so. Let the jury consider of what force this proof is."

Without noticing this most important objection to hearsay evidence, the judge addressed himself to the jury: "You have not to inquire whether he be guilty of the felony, but whether he be the author of the book; for it is already set down by all the judges of the land, that whosoever is author of that book is guilty, by the Statute, of felony; and this was declared above half a year agone."

"Though it be so determined," said Mr. Udal, "I pray your lordships for leave to show — and I will be brief — that, though I were found to be the author, yet it cannot be within the compass of that statute whereupon the indictment is framed."[1]

"You shall be heard to say for yourself what you can. Therefore say on."

"The intent of the law-makers (which always is to be regarded) is to be considered. This intent appeareth in the preface of the Statute in these words, — 'To frustrate the malice of those that be evil affected to her Highness.' Now I pray you consider this: How is it possible that a preacher of the same religion which her Majesty professeth and maintaineth, known continually to pray for her prosperity and happiness, should be maliciously

[1] I refer the reader to the Act (*ante*, Vol. II. pp. 188, 189), and particularly to its fourth section.

affected towards her? It is evident that the Statute was made against the Papists,[1] who use to slander her Highness with the terms of heretic, &c., and in no way against me and my brethren. Again, the matter that maketh a man a felon by that Statute must proceed from a malicious *intent* against her Highness, which I or any such as I can no way be justly charged with; for my course of living and of teaching is *known* to have tended to no other end than to provoke the people to love and obey her Majesty. For proof whereof, I appeal to the consciences of all who have known me. . . . . Again, the matter, to bring it within the compass of the Statute, must be false. But this book is written in behalf of a most true cause. Lastly, the end of it must be either to the defamation of the Queen's Majesty, or to the stirring up of insurrection or rebellion. For the matter of *defamation*, the whole behavior of myself and brethren hath tended to the uttermost of our powers to the advancement of her honor. None of us would refuse any pain whereby her Majesty might be better honored; yea, we would not refuse, if need so required, to lay down our lives for redeeming of the least aching of her Majesty's little finger. For the matter of *moving rebellion*, I pray your lordships and you of the jury to consider this. There have been, since the first day of her Majesty's reign, learned men that have desired the advancement of this cause," — a different model of

[1] On this important point see *ante*, Vol. II. pp. 191–193; where I have urged all which I could find in the Statute itself, and in the history of its passage in the Parliament.

Church government, — "and many of the people have affected it. Yet in all this time there have been none that have raised any insurrection by occasion of this cause. Yea, this book now in question hath been extant these two years,[1] yet no one person hath taken occasion hereby to enterprise any such matter. Therefore the making of this book cannot be felony.

"Besides all this, had any such thing been meant by the author, or received by the people, as the indictment chargeth me withal, — defamation of her Majesty's government, — yet, as I take it, it should not belong to the Statute; for the whole course of it declareth that it is only meant of them that defame her Highness's person, and not her government, as is manifest by the last proviso, wherein it is showed that the whole Statute doth determine and end with her Majesty's life. And we may not think their wisdoms that made that law to be so unadvised as to make a law for the prince's government, which is continual, to last no longer than the life of one prince, which is temporary. Therefore it seemeth that the Statute hath no further regard than this, — that her Highness's *person* might be preserved in that honor and dignity which becometh her royal estate. I do beseech your lordships to answer me, — for I appeal to your consciences as you will answer to God for my life, — and I pray you tell the jury, whether you do think the intent of the Statute were in any sort meant against us, and not rather against the Papists."

"I answer you," said Serjeant Puckering, "the

[1] Martin's "Epitome," p. 4.

intent of the Statute is against *all*, for so the words are."

"The words, my lord, I confess are so. But is the principal intent so?"[1]

"Yea, it is so."

"You cannot excuse yourself," said Baron Clarke, "to have done it with a malicious intent against the bishops and against their exercising their government which the queen hath appointed them. So it is, *by consequence, against the queen.*"

Much more of pertinent argument and artful replication passed; when the Baron addressed the jury, saying, "It is sufficient only that you find him guilty to be the author of the book. That the book *is* a felony, hath already been determined..... You must find him guilty..... The evidences are manifest."

While the jury were considering their verdict, Mr. Udal received two several messages from the Court, "exhorting him to submit himself and to yield unto the judges before the jury should give their verdict"; in other words, to confess that he was the author of the book. "Trouble me not with any such matter," was his reply. "I am clear in my conscience, and therefore am not to accuse myself." At length the jury gave verdict that Mr. Udal was guilty of felony.

The next day he was called upon to say why he should not receive sentence of death; to which he

[1] Mr. Udal was charged only with the offence described in the fourth section of the Act. That section does indeed say, "If *any* person," &c. How these words should be interpreted in their connection, I have endeavored to show, *ante*, Vol. II. p. 195.

replied: "My lords, ... it hath pleased the jury to find me guilty of that which, I thank God, never entered into my heart. Now, therefore, ... I crave of your lordships the benefit of the pardon granted the last Parliament." But — upon the supposition of his guilt — he was *excluded* from that pardon; and it was so shown by the Court.[1]

"Here is no help for you, Mr. Udal," said the Baron. "Will you submit yourself, or not? else I must proceed to judgment."

"I am ready to receive it; for I protest before God (not knowing that I am to live an hour) that the cause" — of reformation — "is good; and I am contented to receive sentence, so that I may leave to posterity how I have suffered for it. The cause excepted, I will submit myself in anything; . . . . . and I entreat your lordships to be a means to her Majesty for me. Were I worthy that my poor papers might come unto her Majesty, or to her Honorable Council, I would write thus much unto them."

"Nay! *Will* you write thus much unto them, that we may first see it, and commend it to her Majesty?"

"I will willingly do it." Whereupon Mr. Udal was returned to the prison of the White Lion.[2]

[1] The Act of general pardon, 31 Eliz. Cap. XVI., in its Sec. VI., *excepts* "all offences of or in making, writing, printing, or publishing of any false, seditious, or slanderous book or books, libel or libels, in any wise against the present government of this realm, in causes either ecclesiastical or temporal, or against any person or persons," i. e. officers of either branch of the government.

[2] Dr. Heylin says (History of the Presbyterians, Book IX. Sec. 11), "the Archbishop was then at his house in Croydon, and prevailed so far in Mr. Udal's behalf, that the judges suspended the sentence of his condemnation"; and he adds,

On the eleventh day of November he wrote to Serjeant Puckering, praying that he either be set at liberty, or speedily suffer the penalty of the law.[1] A week afterwards, in fulfilment of his promise, he sent to the judges a supplication addressed to the queen. It would have been construed as an insult to the Court, and, by construction, to the Crown, for a convict to plead innocence. In this paper, therefore, Mr. Udal went no further than to affirm the unblemished loyalty of his *heart*, and to pray for her Majesty's gracious pardon; "submitting himself, in most humble manner, to live or to die according as that power which God had given to her Majesty to kill and to quicken should appoint.[2] Their Honors replied, that "the submission did not content them." Another, in which Mr. Udal "yielded as much as he could," and an earnest petition for fresh air and for hearing the Word preached, were also unavailing.[3]

In the mean time "her Majesty had forbidden the taking away of his life"; yet was it "threatened by some in authority to be brought into more danger than heretofore at the Assizes beginning the 18th of February," 1590–1.[4] On that day Mr. Udal was again brought before the Court in Southwark; Mr.

that the Lord Chancellor Hatton was offended "that he should show such favor to a man whom the law condemned." The first part of this statement rests only upon Dr. Heylin's testimony. And when it is certain that the latter part is incorrect, the former may fairly be doubted. Hatton could not have been offended at any such merciful interposition, because, as I shall soon show, he himself afterwards ordered a more important respite.

[1] Strype's Annals, VII. 38.

[2] The Petition, as in Strype's Annals, VII. 32, and in the State Trials, as compared with Mr. Udal's explanation of his words in Howell, I. 1297, and in Hargrave, I. 179.

[3] Strype's Annals, VII. 40, 41.

[4] Strype's Whitgift, 344; Udal to Burleigh.

Serjeant Puckering and Mr. Justice Fenner on the Bench. But his case being deferred to the last day of the Court, his judges in the interim used many endeavors in private "to draw him to relent," "to make such a submission as would condemn the book in question and justify the hierarchy."[1] In the afternoon of the first day — having received instructions to that effect apparently from the Lord Chancellor Hatton[2] — they sent to him a form of submission by Sir William More and others, who were directed to urge it upon his consent. The next morning, they sent another delegation upon the same errand. But as neither of these missions availed, in the afternoon they conferred with him themselves "by the space of an hour"; but neither could they prevail. Whereupon they "willed him to write what manner of submission himself liked best to make"; which he did, but not to their satisfaction.[3] At the close of this conference he presented

[1] Howell, I. 1297, 1298. Hargrave, I. 179, 180.

[2] Strype's Annals, VII. 34; Puckering to Hatton.

[3] Ibid.

The submission required by the judges contained an acknowledgment that "The Demonstration" contained "matters false, slanderous, and seditious against her Majesty's prerogative royal, her crown and dignity, and against the laws and government ecclesiastical and temporal"; a petition for pardon; and a promise "to forsake such undutiful courses dangerous to the peace of the realm and Church." (Strype's Annals, VII. 36. Howell, I. 1307. Hargrave, I. 184.)

In the paper which he offered, as the judges had willed, he said: "Although I cannot disavow the cause and substance of the doctrine debated in the book, which I must needs acknowledge to be holy and (so far as I conceive of it) agreeable to the Word of God, yet I confess the manner of writing it is such in some part as may worthily be blamed, and might provoke her Majesty's just indignation therein." Then followed a petition for her Majesty's mercy and pardon, and a promise "to carry himself in such humble and dutiful obedience as shall befit a minister of the Gospel and dutiful subject." (Strype's Annals, VII. 37.)

to the judges a paper for their consideration, showing why sentence against him should be stayed, and why they should be means of his release. His argument was as follows. The first point we omit, because it was not urged.

"2. In law no judgment ought to be given in case of felony but upon a party first found guilty thereof by a verdict of twelve men. But I am not so; for your lordship gave the jury in issue only for the trial of the fact whether I were the author of such a book, and freed them from inquiring into the *intent*, without which there is no felony.

"3. I humbly pray you to call to mind by what means the jury was drawn to give that verdict. Whether they were left wholly to their own consciences, or were wrought unto it partly by promise assuring it should be no further danger unto me, but tend to my good; and partly by fear, as appeareth in that it hath been an occasion of *great grief* to some of them ever since.

"4. In case the verdict was never so free, your lordships are to consider whether the Statute do agree to my case in the truth and meaning of it, there being nothing in that book spoken of her Majesty's person but in duty and honor; and whether the drawing of it from her Majesty to the bishops (as being part of her body politic) be not *a violent depraving and wresting* of the Statute; which if it be, you cannot in good conscience, upon such a ground, proceed to sentence.

"5. But if the Statute be to be taken so as it is urged, it ought to be considered that, without a malicious intent against her Majesty's person, the

Statute itself maketh no act forbidden by it to be felonious. . . . . Of which malice or malicious intent against her Majesty, if your consciences clear me before God, ... I hope you will consider that you cannot with good conscience proceed to judgment.

"6. Yet if the Statute and if the intent were such as it is said, in case of life the evidences ought to be pregnant, and all living witnesses should have been produced face to face. But I have none such against me. Neither any other thing, saving only reports and depositions. . . . . Your lordships ought to have a consideration that, upon so weak evidence, sentence of death be not pronounced.

"7. But if the same that hath been given in for evidence in writing, had been testified by living men in presence of the Court and myself, ... no one of the evidences do directly prove me to be the author of the book in question. Which" — evidence — "as it was, hath little force in it; as appeareth by this, that the author of the chiefest testimony is *so grieved* that he is ashamed to come where he is known. Of all which you are to have regard, and not proceed to judgment of death upon so weak and impertinent proofs.

"8. If all these things were such as they ought to be, yet your lordships are to consider (supposing me to be the author of the book) that the said book, for the substance of it, containeth nothing but that which is taught . . . . . by all the best reformed churches in Europe. So that I cannot be condemned, without condemning them in me. But if there be no error in them, then my error can be only in form, circumstance, and manner of

writing. But death for error of such a kind, in terms and words not altogether dutiful of certain bishops, cannot be but extreme cruelty. . . . . .

"If all this prevail not, yet my Redeemer liveth, to whom I commend myself, and say, as sometime Jeremiah said, in a case not much unlike, — 'Behold, I am in your hands, do with me what seemeth good unto you. But know you this, that if you put me to death, you shall bring innocent blood upon your own heads and upon the land.' As the blood of Abel, so the blood of Udal will cry to God with a loud voice, and the righteous Judge of the world will require it at the hands of all those that shall be guilty of it."[1]

On the twentieth day of the month — the last day of the Assize — Mr. Udal was placed at the bar. After a fruitless "debating to and fro, in which an hour was spent,"[2] of the several points, with the exception of the first, which he had presented to the judges, Mr. Serjeant Puckering said, "We shall make short work with you. Will you here acknowledge all the laws, ecclesiastical and temporal, of this land to be agreeable to the Word of God?"

"My lord, I have disgrace enough upon me already. You may easily perceive what I think of the present ecclesiastical government. I pray you press me not with these things. I can yield no further than you have heard."

"Then we must do our office, and pronounce sentence on you."

[1] This Paper is in Hargrave, Howell, and Strype's Annals, VII. 29 – 32.
[2] Strype's Annals, VII. 35.

"God's will be done!"

"Yea, God's will *be* done on you indeed!"

Mr. Serjeant Puckering then pronounced the sentence of death; a sentence based upon "such evidence as a man would not hang a dog upon," and "for a consequential and deductory felony penhoused out beyond the foundation and intent of the Statute" — "to the everlasting reproach of the justice of the nation."[1] Not a drop of ink is necessary to expose the unrighteousness of the Court in their admission of evidence, and their judicial chicanery in expounding and torturing the Statute. These things stare upon us at every step of the proceedings, and are so obvious that a child of half a score of years can apprehend their iniquity.[2]

"Thou only knowest the issue!" murmured the wronged man as the prison-doors again closed upon him. "O Lord, turn it to thy glory, the good of thy Church, and the shame of thy foes! Then *welcome* life or death!"[3]

The morning after his condemnation, the judges gave orders, in obedience to the Lord Chancellor Hatton, for the respite of his execution till her Majesty's further pleasure might be known.[4] Im-

[1] Pierce, 134, 135. Fuller, Book IX. p. 222.

[2] My narrative of this trial is but an outline of the report before me, drawn up by Mr. Udal, "with the help of others." (Howell, I. 1277, 1295. Hargrave, I. 171, 179.) Yet the report is but an abstract of what passed upon the occasion. (Howell, I. 1296. Hargrave, I. 179.) In a few instances I have taken such liberties with words — and in one instance with a sentence — as have been necessary for the understanding of modern readers.

[3] Howell, I. 1306. Hargrave, I. 184.

[4] Strype's Annals, VII. 35; Puckering to Hatton, Feb. 21, 1590–1.

Mr. Brook has made a great and palpable mistake (II. 21) in saying that this staying of execution was at the request of the Archbishop; and that "Dr. Bancroft, by

mediately afterwards he was visited by Dr. Bond, one of her Majesty's chaplains, "as a messenger from the queen herself and from the Council." Dr. Bond's errand was, to persuade Mr. Udal to sign the submission which had been tendered to him by the judges. After two days' conference, they agreed upon another, which commenced with the following proem. "With these three protestations, I do submit myself in manner as followeth. 1. I hold the cause of Discipline debated in that book to be an undoubted truth. 2. I never imagined any evil against her Majesty's person or estate; but have sought to honor them both. 3. I never proposed to do or persuade anything whereby the Discipline might be advanced, but by peaceable means; endeavoring to keep within the compass of the law." Then, bowing to the sentence of the Court in "imputing to him the defaults of the book," — i. e. not disputing the sentence, — he craved her Highness's pardon, he himself "seeing the grievousness of this" — declared — "offence."[1]

Before sentence of death had been pronounced,

his order, wrote to Puckering that, if Udal's submission did not satisfy him, it was the *Archbishop's* pleasure that he should proceed to judgment and command execution, but afterwards defer the same." What had the Archbishop to do in directing the proceedings of the temporal courts? This letter was indeed written by Dr. Bancroft, but in the name and by order of the *Lord Chancellor Hatton*, on the twentieth day of February (Strype's Annals, VII. 37, 38), — the day when judgment was pronounced. This is proved by Puckering's letter to Hatton, giving an account of the proceedings of the Court. "In private this morning," — Feb. 21st, — "we commanded the respite of his execution, as, by Dr. Bancroft's letter, I understand *your Honor's* pleasure was we should." (Ibid., 35.) At this time Dr. Bancroft was Hatton's chaplain, not Whitgift's, as he had been recently This change has given rise to some other historical mistakes.

[1] Howell, I. 1507. Hargrave, I. 184.

Mr. Udal had procured a friend to solicit the good offices of Sir Walter Raleigh;[1] and while the chaplain and the prisoner were yet in conference, Mr. Udal received a letter from this friend, saying that Sir Walter willed him to inform Mr. Udal that her Majesty had such and such dislikes to him, she supposing him to hold such and such doctrines against the Church, the sacraments, and the ecclesiastical laws of England, and against her own ecclesiastical supremacy. The letter also requested an expression of his opinions[2] upon these points. "Write half a dozen lines under your own hand unto Sir Walter," continued the writer, "concerning these opinions, that he may show it unto her Majesty; he hopeth to obtain the pardon of your life."[3] Mr. Udal immediately wrote to Sir Walter accordingly, acknowledging the Church of England and her ordinances; her Majesty's "supreme authority over all persons in all causes . . . . . to enforce every man to do his duty and to be obedient in everything not contrary to the Word of God. And," he added, "if the prince should command anything contrary to God's Word, *it is not lawful for the subjects to rebel so much as in thought.*" Next, he declared his belief that the churches ought, by the Word of God, to be governed according to the

[1] Oldys's Life of Raleigh, p. lvii. Sir Walter Raleigh was so much in the habit of interceding with her Majesty for her subjects in trouble, that she exclaimed to him one day, when he was doing such an office, "When will you cease to be a beggar?" "When your gracious Majesty," replied the knight, "ceases to be a benefactor." (Oldys's Life of Raleigh, p. lix.)

[2] How often did the queen violate her royal pledge, that none of her orthodox subjects should be molested for their opinions? (*Ante*, Vol. I. p. 478.)

[3] Howell, I. 1303. Hargrave, I. 185.

Presbyterian plan; adding, that "the censures of the Church ought merely to concern the soul, and may not impeach any subject, much less the prince, in liberty of body, dominion, goods, or any earthly privilege whatsoever."[1]

The form of submission which Mr. Udal had drawn up at the instance of Dr. Bond was not accepted. Yet it would seem that his paper to Sir Walter Raleigh and Sir Walter's mediation had effect in prolonging his reprieve; for from that time he continued several weeks "without fear of extremity."[2] During this time he was visited by Dr. Andrew, Chaplain to the Archbishop, and by Mr. Nowell, Dean of St. Paul's.[3] This happened in May, 1591, through the intervention of the Lord Chancellor and the Lord Treasurer. The object of the visit was to draw Mr. Udal to such an acknowledgment as the Lord Chief Justice Anderson had dictated.[4] This prescript acknowledgment sent by the Privy Council was presented to Mr. Udal with "a promise in the name of the Council, that, in yielding to it, he should obtain pardon and liberty."[5] After some hesitation, and by advice of his friends, he subscribed it. But, strangely enough, it proved that the Clerk of the Council had sent a wrong paper; the one intended being the same which had before been offered by the judges, which Mr. Udal had then rejected and which — being now again offered — he rejected

[1] February 22d, 1590–1. (Howell, I. 1309. Hargrave, I. 185. Strype's Whitgift, 375.)

[2] Howell, I. 1310. Hargrave, I. 185.

[3] Ibid.

[4] Strype's Whitgift, 374.

[5] Howell, I. 1310, 1312. Hargrave, I. 186.

again.[1] This was the end of all negotiations for compromise.

Afterwards, having reason to suppose that at an approaching Assizes to be held at Kingston about the 1st of July, 1591, his case would have a tragical end,[2] Mr. Udal again sought the good offices of Sir Walter Raleigh, and also of the young Earl of Essex,[3] the queen's favorite and "a patron of the Puritan party."[4] About the time when he was transferred to Kingston, the intercessory letter of the Scottish king,[5] in which he mentioned both Mr. Cartwright and Mr. Udal, had been presented to her Majesty. Together with the mediation of Sir Walter and the Earl, it seems to have had influence; for Mr. Udal was immediately sent back to prison "in the evening before the first day of the Assizes."[6]

Through the friendly offices of the Lord Treasurer, Mr. Udal "had a pardon framed according to his indictment," and sent it, with a petition, to the Privy Council, who referred it to the Archbishop. But "his Grace's good-will could not be gotten."[7] Some of the London merchants now moved

[1] Howell, I. 1312. Hargrave, I. 187.

[2] Howell, I. 1313. Hargrave, I. 187. Strype's Whitgift, 344.

[3] Howell, I. 1313. Hargrave, I. 187. Oldys's Life of Raleigh, lviii.

[4] Birch, I. 74. Heylin's Presb., Book IX. Sec. 1.

[5] *Ante*, p. 399.

[6] Howell, I. 1314. Hargrave, I. 188.

[7] This is the most reliable mention of a pardon which I find; only a *draft* of one. Mr. Strype asserts roundly, that "Mr. Udal *had* his pardon, and that procured by the Archbishop himself" (Strype's Whitgift, 344, 377); but Mr. Udal's contradictory statement is decisive: "I had sent" — previous to this draft of a pardon and including it — "unto the Archbishop divers petitions and dutiful letters, and also got many of my friends, both honorable personages and others, to see him, yet *could not* his good-will be

for the prisoner's deliverance. Having commercial stations in the Levant, they proposed to the Archbishop that Mr. Udal should be permitted to go with their vessels, then just about to sail, as a religious teacher to the men whom they employed abroad. His Grace promised his good-will to this end, on condition that the merchants would be bound that he *should go* when liberated. To this they assented. But afterwards his Grace repented, and insisted upon a new condition, — that they should also be bound that Mr. Udal should remain abroad until her Majesty should license his return. "This condition they could not yield to, because he denied to go upon any such ground." But the Earl of Essex and Puckering (now Lord Keeper) "so dealt with the Archbishop," that he pledged himself to join with the Lord Keeper "at their next meeting at Court to deal with her Majesty to sign his pardon, that so he might have liberty to go."[1] But the pardon was not signed, although it was ready in Essex's hands, and the merchantmen sailed in the month of March, 1591–2,[2] leaving Mr. Udal still in bonds.

For more than a year, he had felt severely the

gotten." (Howell, I. 1315. Hargrave, I. 188.) In justice to Mr. Strype, I am bound to say that probably he had no knowledge of Mr. Udal's report of his case; for when Mr. Strype wrote, that report was very scarce, and almost unknown. So I judge from reading Oldys's "Life of Raleigh," p. lviii., note *a*. If "Mr. Udal *had* his pardon," why did he die in prison?

[1] Strype's Whitgift, 377. Howell, I. 1316. Hargrave, I. 188.

Mr. Strype is therefore very much mistaken in saying that "the Archbishop did *freely* condescend" that Mr. Udal should go. In this case we must give Mr. Udal's statement the preference to that of the historian.

[2] Strype's Whitgift, 377; Udal to Burleigh.

effects of his confinement. Nature had panted in vain for the element of social life, for liberty, for the pure air of heaven. His system had been half wrecked by continual tossing between the expectation of death and the hope of life, and his spirit had thirsted for the assembly of the saints and the ministry of the Word. "I pray your lordship," he had written to Puckering in January, 1590–1, "for a respite from this corrupt air, from this lack of exercise, which endanger my life. Besides, my soul hungereth after the holy exercises of religion, as the hunted hart desireth the water-brooks. I crave therefore of your lordship to grant me so much favor that I may go with my keeper to sermons within the borough, and into the fields to take air for the relief of my body."[1] This touching plaint and prayer met no response. About seven months after, he sued again; but only "for the liberty of going to church." Even this "was denied him, *because* he was a condemned man!"[2] From the time when the Mediterranean fleet left, the pulse of life beat slower and feebler, although the presence of his wife and friends was allowed to him more freely than before,[3] to cheer his spirit. Poisoned by polluted air, the natural life waned, and he sank slowly, without a murmur or reproach, until, in the latter part of the year 1592,[4] with a

[1] Strype's Annals, VII. 40, 41.

[2] Howell, I. 1315. Hargrave, I. 188.

Denying a man a means of grace and of Christian consolation, *because his days were numbered!* I am not aware of any fact in the history of a Protestant church so atrociously Antichristian.

[3] Fuller, Book IX. p. 222.

[4] Howell, I. 1316. Hargrave, I. 188. Mr. Strype dates Mr. Udal's death in 1592, and again in 1593. (Life of Whitgift, 344, 375, 377. Com-

smile expressive of a glorious hope, he fell asleep, — "numbered," like his Lord, "with the transgressors." "The ministers of London flocked to his funeral,"[1] thus publicly declaring their esteem for the man, and their verdict against his persecutors.

Mr. Udal never acknowledged himself the author of "The Demonstration." In some of his "Submissions," language occurs which seems to imply that he was; but even this faint implication fades away when we consider that, of necessity, he so framed those papers as not to *dispute* the verdict of the jury or the justice of his sentence. Upon the question of the authorship, we lack all historical testimony.[2] Yet we incline to the opinion that Mr.

pare *ante*, Vol. I. p. 355, note 1.) It may have been but a slip of the memory or of the pen which made Fuller contradict himself (Book IX. pp. 222, 223) by saying that Mr. Udal was *executed*.

Was his pardon ever signed? Mr. Petheram, editor of the Martin Mar-prelate tracts, says that "he was conditionally pardoned, at the intercession of King James," (Notes to "The Epitome," p. 62,) an intercession made some fifteen months, or more, before Mr. Udal's death. Thomas Ford, a kinsman of Mr. Udal, wrote to Thomas Fuller (the historian), that "he died *just as* his pardon was procured" (Oldys's Raleigh, p. lix., note *b*), which may mean only that it was promised, though not signed. Mr. Strype says (Life of Whitgift, 344) "he *had* his pardon"; but afterwards he speaks of it only as "granted," "drawn up," "*near* effected" (pp. 345, 375, 377). He also calls his death, produced by confinement, harassment, and putrid air, a "*natural* death"! (p. 344.) If the pardon was completed, i. e. signed, it must have been when Mr. Udal was at the last gasp of life, — so enfeebled that he could not be removed; otherwise an hour's time would have set him free, provided the queen were in London. I adopt the positive and unequivocal statement, in Howell and in Hargrave, *appended* to Mr. Udal's narrative: "Her Majesty *never did* sign the pardon." This narrative was printed as early as 1643, — if not before, — under the title of "A New Discovery of Old Pontifical Practices" (Oldys, p. lvii., note *e*); but whether the closing paragraph was appended to *that* imprint, or by Mr. Hargrave in his edition of it, I have no means of judging. If to the former, it is of more weight.

[1] Fuller, Book IX. p. 223.

[2] Ibid., 222.

Udal did not write the book with which he was charged. If he did, his refusal to avow it after conviction and judgment is unaccountable; for nothing could be gained by the refusal, while an avowal would probably have procured a commutation of his sentence, if not a pardon.[1] On the other hand, if he was not the author, we understand at once why he refused to say that he was. And, although disowning the book under oath before conviction would have "sufficed" for his acquittal,[2] yet we find a good and *magnanimous* reason why he would not disown it while he might have done so with truth. He would not leave others open to suspicion and jeopardy of life, although by denial he could clear himself. So he declared in court.[3] Upon the supposition that he was not the author, and upon this supposition only, can we understand why he persisted to the last in neither affirming nor denying the fact. Probably his judges supposed that he was. But this does not explain their course of proceeding; an explanation which we think is sufficiently indicated otherwise.

The queen and the prelates had been greatly annoyed by the issue of pungent Puritan tracts, and particularly by those of Martin Mar-prelate, which they fancied to have the sanction of the Puritans generally. It was therefore resolved to demonstrate by example, that such books were published at the risk of the gallows, and at a risk impending over even the most learned and emi-

[1] Baron Clarke to Udal in Court; Howell, I. 1291. Hargrave, I. 177.

[2] The same to the same; Howell, I. 1282. Hargrave, I. 173.

[3] Howell, I. 1282.

nent. For this reason Mr. Udal, supposed "to be the ringleader" of such writers,[1] and *reported* to have written "The Demonstration," was put upon trial for his life. There was no law under which he could be convicted of felony. There was no evidence, on which a felony could be pretentiously based, that he had written the obnoxious book. Of both these facts the judges were perfectly aware. They therefore tried their skill at wresting a statute and browbeating a jury, commanding them to receive as evidence what the Court themselves, the jury, and every ear that heard it or heard of it, knew was no evidence. They held their offices and their emoluments at the will of the Crown. It was the will of the Crown that this prosecution should be sustained either by confession or by verdict. Confession, much as it was urged, could not be obtained. Verdict was forced. That the judges wittingly proceeded only by craft, is evident from the fact that "they *delighted* themselves in the court held against Mr. Udal."[2] In other words, they chuckled over the successful result of their own legal ingenuity. To suppose that they purposed a judicial murder would be monstrous. To suppose that they thought him guilty of felony under the Statute would be silly. But to suppose that they meant to scare him and the whole Puritan family, by putting about his neck a rope, to be removed seasonably upon certain conditions, accords with their whole proceedings. For this they labored from the very opening of the

[1] Puckering to Udal; Howell, I. 1294. Hargrave, I. 178.

[2] Strype's Annals, VII. 38.

prosecution; and though they rejoiced in their success with the jury, they continued to delay execution, and to invent means to avert it. The moral impression at which they aimed was supposed to be secured by the verdict. Further, they did not wish to go. Otherwise — in accordance with the custom of the day in cases of felony — Mr. Udal's execution would have followed swiftly upon the heels of his sentence. Yet the judges were guilty of his death; as truly guilty as if he had swung from the gibbet. Dying as he did at their hands in prison, he was as truly *executed* by them.[1] The queen herself seems to have been more directly responsible for the death of this man. Lord Burleigh, the Earl of Essex, Sir Walter Raleigh, the merchants of London, interceded again and again for his pardon. The Lord Keeper Puckering (the very man who pronounced his sentence) and the Archbishop (who for long time would show him no favor), if they kept their promise, also sued to her Majesty for the same. What, then, was in the way of his liberty and life, but her own resolution to "root out Puritanism"?

The cases with which we have occupied this chapter have intrinsic interest. But they are also of no small historical importance; for they give us a clear view of that mockery of justice which then obtained in all prosecutions, civil or criminal, in

[1] Is it possible that this is what Fuller intended to say *covertly* when, after having stated that Mr. Udal died in prison broken-hearted (Book IX. p. 222), he speaks of him afterwards (p. 233) as having been *executed*? Such a *sly* meaning would certainly be characteristic of the writer.

which the prerogative or the policy of the crown might be implicated. Verdicts were pre-determined and coerced. Cases were prejudged. However much the forms of law and a due course of justice may have prevailed in ordinary suits, defeat and disgrace were sure for the Puritan appellant, though the righteousness of his cause were never so clear; and for the Puritan defendant, though neither law nor testimony were against him.

CHAPTER XIII.

HENRY BARROW.

A London Rake. — His Reformation. — The Tenets of the Independents. — Their Differences and Affinities with the Puritans proper. — The Independents without Organization and without a Leader. — Their Condition in Society, and their Characteristics. — Henry Barrow their Master-Spirit. — Master Fox's Ordinary in Nicholas Lane. — Conference there between Mr. Barrow and Mr. Hull about the Imprisonment of John Greenwood. — They visit Greenwood in the Clink. — Barrow detained there a Prisoner — Taken before the Archbishop and other Commissioners. — He is committed to the Gate-house. — His second Interview with the Commissioners. — Before a special Commission, in Company with Greenwood. — Their Objections to judicial Oaths. — Their ingenuous Boldness. — They are enlarged. — Again arrested. — Mr. Barrow's Examination.

1586–1588.

There was a young man in London, a member of the honorable society of Gray's Inn, a barrister "accomplished with strong parts," and conspicuous for his high spirit and gallantry among those who frequented the royal Court.[1] He was of a good family, the son of a gentleman of Norfolk, and had proceeded Bachelor of Arts at Cambridge in the year 1569, — probably at about twenty years of age. Soon after his initiation at Gray's Inn, he became noted among his fellows for his dashing, reckless spirit, and for the fiery zeal and boldness with which he entered upon any enterprise, whether of study, prowess, or amusement, which took his fancy,

[1] Harleian Miscellany, IV. 329, 334.

— peculiarities which fitted him to be a leader rather than a follower of others. He was equally noted as "a man about town," for he had lived at the ordinaries of London, was remarkable for his courteous but impulsive manners, his genial spirit, his powers of conversation, and his conviviality. He was also foremost among the roistering blades of the city as a dicer and a libertine. Much given to deep play by day and to dalliance by night, he was at the same time unblushing in his whole course; boasting as he swept the stakes, — which he often did, — "*Vivo de die in spem noctis.*"[1] Such for several several years was the riotous and shameful life of Henry Barrow, Gentleman. "If he had lived and died in that condition, it is like he might have gone out of the world without any public brand upon his name, and have passed for a tolerable Christian and member of the Church."[2] Such was the reputed standard of practical Christianity with the dominant party in the Church! But a strong hand was laid upon him, and suddenly.

Some time in the year 1583, or perhaps in the year 1584,[3] he was sauntering along the streets, on a Lord's day, with a boon companion, whose languid

[1] Hanbury, I. 35, note. Lord Bacon, as quoted by Hanbury, I. 35. Wood's Athenæ, I. 598, note 7. Governor Bradford's "Dialogue"; in Morton's "New England's Memorial," pp. 338, 340, 341 (Boston, 1855; edition of the Congregational Board of Publication). In future I shall refer to this document by simply noting the pages of this edition of Morton.

[2] Morton, 339.

[3] I find no date assigned to this occurrence. But I conjecture, for reasons which I need not state, that I am very nearly right. Nor do I find any satisfactory means of ascertaining Mr. Barrow's age; but, upon the supposition that he was twenty years old when admitted Bachelor of Arts, he must have lived at this time thirty-four or thirty-five years.

eye and shuffling step told of a night's debauch. Barrow, with a naturally strong constitution, not yet shaken by his excesses, was in a merry mood, and had been bantering his dejected friend. But when he found him irritated by his words, he gayly said, "Cheer up, cheer up, Sutton! A pottle of mellow sack will cure thee. Then we will be ripe and fresh for another bout."

"I tell thee, I be sick of such madcap ways. They muddle the brain; they deflour manhood; they steal self-respect. In fine, they be a band of thieves and robbers; and he is but a fool who putteth himself in their hand, only to be tickled for an hour, and then be rifled of all but an enfeebled mind, an enfeebled body, and accursing shame. Look there, Barrow," — holding out his tremulous hands, — "these doings devour bone and marrow! I 'm weaker than a puling child! A murrain on all such courses!"

"Hast taken orders, Sutton? My faith! an thou wilt always preach so well, so movingly, and carry thyself with such right valiant eloquence, I will go to thy parish church."

"An it *be* preaching, it is fit, on a Sunday," said Sutton, sullenly.

"Street preaching! Zounds! it be as fit and as seditious as a conventicle. An I should but tattle of thy behavior to my Lord of London, I should find thee in limbo to-morrow."

"A truce with nonsense!"

"Amen; leave it and hear my sense. This be but a fit on thee, man; a passing fit. When I was of your years —"

"What! so?" extending his hands again.

"Belike in less degree. But I always found my cure. You 're but a novice, Sutton."

"A cure! and what?"

"I 've told thee, man. More of the same, or of the like. A bumper or two will make thee a man again."

For a moment the young man hesitated. Then, forgetting the self-reproach and the penitent resolution he had but just expressed, he exclaimed, "So be it! Anything for a spark of manhood." A few steps farther brought them in front of a church whence the voice of an earnest preacher was heard.

"Hold!" said Barrow, "let us go in."

"Tush! shall we go to hear a man talk?"

"Yes, *this* man; for he is in earnest. Your readers and your humdrum preachers, who care not a groat for souls, but only to say their lessons and get their dinners, I eschew them. But here now be a man — you may know it by his tones — who hath a better purpose, and who feeleth what he saith. Whatever a man doeth or talketh, I like him an he be in earnest; for the which I did like thy sermon just now, and for which I shall like his."

After some expostulation, Sutton went away, muttering some profane words about "such a mad freak," but Barrow entered and sat down. The preacher *was* earnest about "righteousness, temperance, and the judgment to come." He was "vehement in reproving sin, and sharply applied the judgments of God to the same." The sermon and its fervid delivery befitted the entire character of the

new-comer, and absorbed his attention to the end. At the close of the service he walked hurriedly to his rooms. The truth had entered his soul like a barbed arrow, and he passed many sleepless hours of solitude in all the misery of remorse. From day to day the wound rankled, until the suffering was past endurance, and the proud profligate crossed his threshold to seek private counsel of godly men. Then he resorted to the preaching of the Word; he read it; he studied it. At length he came to a perception of grace, free and boundless, through a crucified Redeemer, clung exultingly to it, appropriated the Gospel with its soothing words and heavenly promise, and imbibed that "peace of God which passeth all understanding." Henry Barrow was a new man. For a long time he secluded himself, — now in the country, now in the city, — as earnest and as much engrossed in studying "the unsearchable riches of Christ" as he had been in drinking at the fountains of licentious indulgence. It was soon bruited among his old consorts at Court and about the city that "Barrow had turned Puritan!"[1]

Of the ecclesiastical theory of "The Independents," — or, as they had been unjustly nicknamed, "The Brownists,"[2] — we have before given a brief

[1] Morton, 341.

[2] Ibid., 329.

"They can no more justly be called Brownists, than the disciples might have been called Judasites; for they did as much abhor Brown's apostasy and profane course as the disciples and other Christians did Judas's treachery." (Ibid., 337.) "If any be justly to be called Brownists, it is only such as revolt from Separation to formality and from thence to profaneness. (Ibid., 348; Cotton to Baylie.)

account. Their reasons for separation from the Established Church we have also stated.[1] But before pursuing the thread of our narrative, it is fitting that we should speak of their tenets more explicitly.

Their estimate of the National Church we have but partially unfolded. It was simply this: That, being constituted by the edict of the prince, and not by voluntary covenant, and thus embracing promiscuously all in the land, — the undevout and the unbeliever, the profane and the licentious, — and being also under the hierarchal government of archbishops and their subordinates, the National Church differed from the primitive pattern of the Gospel, and was not allowable by it. Still they allowed that there were some parish assemblies which were true churches, by virtue of an implicit, though not formal, covenant amongst themselves; and that, so far as these were embraced in it, the National Church might be held and called a true church, notwithstanding its form of government.[2] For these reasons, until about the beginning of the seventeenth century, the Independents, "out of some mistake and heat of zeal, forbore communion in *lawful* things with other godly persons," as "in prayer and hearing of the Word." But this soon came to be disliked and openly disapproved.[3]

It was this point of utter separation, chiefly, upon which arose the bitter controversy between the Puritans proper and the Independents. Yet there was an underlying affinity between them, not

[1] *Ante*, Vol. II. pp. 302 – 315.
[2] Ibid., pp. 307, 308. Morton, 328.
[3] Morton, 329.

in the least degree indicated in their polemic pamphlets; and not only an affinity of spirit, but, to a large extent, a coincidence of opinion upon the form of church government. This large, this liberal oneness, hidden for a time by circumstances, soon developed itself; for many who most sharply opposed the Independents avowed that in their hearts they preferred the polity of the latter, and that they would adopt it "if they might come to be from under the bishops and live in a place of peace and rest where they might comfortably subsist."[1] Indeed, the Puritans soon came to call the Independents "our dear brethren of the Separation."[2]

There was a practical tenet held by the Independents, which perhaps was suggested by the many years of their unorganized condition, and which was thought then, as it is now by some, to be an unwarrantable innovation. It was maintained by them, as consistent with Christian order and decorum, that even such as had no office in their churches, if they had sufficient "gifts," might upon occasion, by expounding the Scriptures and exhortation, "edify the church" — congregation — "publicly and openly."[3] Yet there was a limit to this liberty, — that such persons "should *first be allowed* by the judgment of ministers and others."[4]

[1] Robinson, as quoted by Bradford; in Morton, 333.

[2] Heylin's Presb., Book IX. Sec. 30.

[3] Morton, 331.

[4] Ibid., 332.

Bradford justifies this practice by citing from Eusebius the testimony of the Bishop of Jerusalem and the Bishop of Cæsarea, that laymen did teach in open assemblies in presence of bishops, and that they were exhorted to do so by the bishops themselves. He also refers to the fact, that in the Jewish synagogues, not only the Levites, but *any* in Israel, might expound the law, if capable of doing so, and if permitted

While the Puritans sought that Presbytery should be established by law, that its government should be enforced by the civil arm, and that the patrimony of the Church should be converted to the support of their clergy,[1] the Independents — true to a secondary sense of their name — neither asked for an establishment, nor for the interference of the civil authority in the enforcement of their discipline, nor for any funded means of supporting the institutions of religion; but "would that all livings should be returned to the Commonwealth whence they were taken," and that their clergy should be sustained by the voluntary contributions of the people.[2] They asked but one favor of the civil magistrate, — to be let alone, that they might worship God in peace and according to the dictates of their own consciences.[3]

by the master of the synagogue. He then adds, "If any out of weakness have abused at any time their liberty, it is their personal faulting, as sometimes weak ministers may their office, and yet the ordinance good and lawful." (Morton, 331, 332.)

[1] Hicks, 262.

[2] Waddington's MS.; from a paper of the day. Waddington's Penry, 32. Harleian Miscellany, IV. 337; Barrow to Burleigh.

[3] There was a Protestant church in Queen Mary's day, and there are reasons to suppose that it was organized upon the plan of Independency. (*Ante*, Vol. I. p. 127, and references.) But it was quickly scattered by deadly persecution. I have also mentioned (Vol. I. Chap. XII.) the first movement towards Independency in Queen Elizabeth's day, in the year 1567. It seems that another Independent church was formed about the year 1570, — a fact which I have overlooked, — "whereof Mr. Fitz was pastor." (Morton, 347.) Dr. Waddington gives us further information of this church (MS.), and presents us with what seems to have been in some sort a Confession of their Faith. He tells us also that they still associated for purposes of worship and discipline, after the death of their pastor in prison in the year 1571. These are the only attempts at Church *organization* upon the Independent or Congregational plan which I find recorded from the time of Edward VI. to the time of which I am now writing.

When Mr. Barrow "made a leap from a vain and libertine youth to preciseness in the highest degree,"[1] the Independents were like sheep without a shepherd, not only in and about London, but in the South of England,[2] and in the counties of Essex and Norfolk.[3] Scattered here and there, they had not a single organized church, no ministration of the sacraments, no ministers, no one man of such mould of character as to command their united deference, to inspire their courage, or to stimulate their progress.[4] They were unpretending and uneducated plebeians;[5] unaspiring men; mostly small tradesmen, mechanics, and artificers; — the very class of men most apt to look at things through a natural medium, unobscured by artificial mists.[6] But they were men of sturdy, unsophisticated minds, accustomed in all affairs to that self-reliance without self-conceit which is characteristic of the truest manhood. Far inferior to most of the Puritans in social position and in education, they were unlike them — but superior — in being free from the trammels of the schools. They had no acquaintance with the writings of the ancient Fathers, and therefore from that source no perplexities; puzzled not themselves with the traditions of the elders; but in all questions of religion came, with childlike simplicity and prayer, only to the Oracles of God, and asking only, What saith the Lord? Thence, in the exercise only of that plain and sound com-

[1] Lord Bacon; Hanbury, I. 35.
[2] Waddington's Penry, 82.
[3] Neal, I. 198.
[4] Waddington's Penry, 85, 89.
[5] Which I conceive to be the true meaning of Lord Bacon's words, "very silly and base"; Hanbury, I. 35.
[6] Waddington's Penry, 89. *Ante*, Vol. II. p. 306.

mon-sense and humble spirit which God had given them, and upon which they were accustomed to rely in the ordinary business of life, they drew all their religious opinions, whether of doctrine, of discipline, of worship, or of practical morality. They recognized no religious ties but to their Master and to his disciples. Hence it came to pass, by natural consequence, that they fell upon the simplest forms of worship, seized upon the simplest idea of a church, as a congregation of covenanting brethren, and adopted a mode of discipline in harmony with that idea.

We return to our narrative. From the time when Mr. Barrow retired from the scenes and sins of his former life we have no trace of his movements for three or four years. But we know in general, that he associated himself with the despised Independents. By his fiery zeal, his intrepid spirit, his strong and self-relying mind, his education, and his previous indifference to all ecclesiastical questions, he was peculiarly fitted to be a guiding and quickening spirit to the scattered and depressed Christians with whom he cast his lot. Therefore, it may be, the Lord chose him and sent him to these weak ones, and "stirred him up for special reformation,"[1] — his very blemishes contributing to the more vigorous execution of his task. Such a guide and quickener he proved to be. Roused by his energy and boldness, the numbers of the despised ones increased, and their secret assemblies were more frequent. So well was all

[1] Morton, 388.

this known to the Commissioners, that Mr. Barrow was soon on their proscribed list, a special object of their indignation. "For a long time," one of their pursuivants was baffled in hunting him up.[1] His prominence among his brethren and his commanding influence soon became generally known. Hence they received a new popular cognomen, — "The Barrowists."[2]

In Nicholas Lane in London (now 80 King William Street) stood a public house, above the medium rank, which for many years had been a favorite with citizens and travellers who loved a quiet and orderly retreat. Over the entrance of its court-yard was inscribed, in large letters, "Fox his Ordinarie."[3] Master Fox, whether at this time one of the Separatists or not, had a partiality for them, gave them the preference as his guests, rendered them various services in other ways, and even risked his estate by providing them with a suitable apartment for their worshipping assemblies.

On the morning of Sunday, the nineteenth day of November, in the year 1586,[4] a private apart-

[1] Harleian Miscellany, IV. 327. Brook, II. 25, note.

[2] Strype's Whitgift, 417. D'Ewes, 517.

[3] Just one hundred years afterwards the inscription read, "Foxe's Ordinary, rebuilt 1686." It was still standing in 1834. (Hanbury, I. 87.)

[4] Sir George Paule (Sec. 66), who was Comptroller of the Archbishop's household, says that the incidents which I am about to narrate occurred in November, 1587. From respect to this authority, Mr. Hanbury (I. 35) doubts between 1586 and 1587, and signifies his leaning towards the latter date. But I unhesitatingly adopt in the text the earlier date; *first*, because we have it in the prefix of Barrow himself to his own narrative (Harl. Misc., IV. 327); and *secondly*, because a comparison of this date with the dates of subsequent events shows that "1586" in Barrow's prefix must be correct, i. e. is not a typographical error.

ment of this house was occupied by two gentlemen, — Henry Barrow and —— Hull. The latter sat before a small fire, in a pensive mood; but Mr. Barrow was pacing the room, his arms rigidly folded across his breast, his lips compressed, and his countenance now shaded with deep grief, now flushed with indignation. Occasionally might be seen there a look almost defiant. He was chafing under strong emotions, which he was striving to control. His firm yet nervous tread, his erect port, his tall, muscular frame, his flashing eye, indicated that, unless he *did* control his spirit, it might be dangerous to meddle with him. Suddenly he stopped before his companion, and said, in a slow whisper, as if conscious that he *must* keep a bridle upon his very voice, "Mr. Hull — how long — has John Greenwood — been — in prison?"

"I do not know. It was told me last Tuesday sennight."

"Tush, brother! Why dost not say, 'the first day,' 'the second day,' 'the third day,' as God himself named all the days?"[1] Then, walking away again, he muttered, "Thornley said nothing of Greenwood."

"Thornley!" said Mr. Hull, bestirring himself, "what Thornley?"

"Thornley of Norwich."

"One of the straitest of the Pharisees. What hadst thou to do with him?"

"We happened to meet at an hostlery at Ware as I rode hither, and we had communication there."

[1] Harleian Miscellany, IV. 335.

"*Happened* to meet! Com-mu-ni-cation! Of what sort?"

"We spake of some Puritans and of some of our brethren in prison. But he did not mention our brother Greenwood."

"Happened *to meet!* Humph! Didst converse of controversial matters of religion? Didst speak to *him* of thine own dislikes of this and that in the religion established by law?" Mr. Hull spoke nervously.

"We did touch upon religious affairs—"

"*Touch!* Well; and—?"

"Albeit of nothing—if I misremember not—of nothing controversial, saving I did affirm elders to be bishops."[1]

"Saving thou didst affirm *that!* When will Henry Barrow learn to hold his tongue!" exclaimed Mr. Hull, now fairly aroused, and starting to his feet. "When will Henry Barrow learn that there is a time to keep silence as well as a time to speak? God forbid thou shouldst fail to bear testimony to the truth whenever and wherever there be occasion. But why brast forth in an ordinary, and to a known enemy of our persuasion, that for which you had *no* occasion,—that which could only work to your own harm? Didst tell him you were coming to London?"

"Nay. But when I mounted my horse, he saw me take the London road."

"An he had had a swift courier at command, thy coming would have been known at Lambeth before thine arrival. Barrow, Barrow! thou hast

[1] Harleian Miscellany, IV. 331.

done a foolish thing. That man be a spy and spiteful informer. And now thou wouldst go to comfort our poor brother Greenwood, and our other poor brethren, in the Clink! Harry, thou shalt not!"

It was like a child saying to the cataract, "Thou shalt not"; or to the eternal sea.

"What of Greenwood's wife and son?" The latter was about eighteen months of age.[1]

"I know not where they be. Belike the Lord Rich will provide for them."

"*I* must know, Mr. Hull. I *shall* go to the Clink prison. I *will* see my brethren in affliction. I *will* comfort them." He then added, drawing his imposing frame to its utmost stature, "Shall the Judge say to Harry Barrow in that day, 'I was in prison and thou visitedst me not'?"

"But, Mr. Barrow, I wish —"

"I go."

"Then I go with thee."

"Welcome."

It was about nine of the clock when the two friends passed out into the court-yard. It may have been partly from prudence that Mr. Barrow drew the folds of his ample cloak so closely about him as almost to conceal his features, but there certainly was another reason; for while here — as we are now writing — the month of November is distinguished during much of its term above all the months of the year for its bland air, its clear, blue sky, and its mild but glorious sunshine, an English November is

[1] Harleian Miscellany, IV. 339.

"No sun, — no moon, —
No morn, — no noon, —
No dawn, — no dusk, — no proper time of day, —
No sky, — no earthly view, —
No distance looking blue, —

. . . . .

No warmth, no cheerfulness, no healthful ease, —
No comfortable feel in any member."[1]

Passing over the only bridge which then spanned the Thames, Barrow and Hull arrived at the Clink prison in Southwark before ten of the clock, where they were freely admitted by the underling keepers.[2]

It was an affecting interview, — Mr. Greenwood overjoyed at embracing his brethren; Mr. Barrow's large heart overflowing towards his imprisoned friend; Mr. Hull weeping like a child as he witnessed their demonstrations of Christian love. They had exchanged but a few words of greeting and inquiry, — during less than fifteen minutes, — when Mr. Shepherd, the keeper of the prison, came up to the apartment, with many words of rebuke to his poor prisoner for presuming to receive friends without first applying for his permission. He then said, "As for you, Mr. Barrow, I am most happy to see you. You are my prisoner."

"How so?"

"I have commandment from his lord's Grace to stay you in custody."

"Your warrant!" demanded Mr. Barrow, standing erect and extending his hand to receive it, with a look and tone beneath which for a moment the keeper cringed.

"My — my orders be peremptory. I shall lock

[1] Thomas Hood. [2] Harleian Miscellany, IV. 327.

you up. If you be wronged, you can bring your action afterwards."

He did lock him up; and Mr. Hull, muttering, "I told him so," betook himself, with a heavy heart, to London, to tell the brethren that one more of their number, and him upon whom they most relied, was in the clutches of the High Commission. Mr. Shepherd took a barge, — the prison was at the river's brink, — and rowed to Lambeth palace, to inform his "lord's Grace" of his new capture. About one of the clock, he returned with two pursuivants, and took Mr. Barrow in the boat to Lambeth. On the way, one of the pursuivants, Watson, presented a folded paper, saying, "Mr. Barrow, here is a letter for you from the court at Lambeth. I am rejoiced to see you, for I have sought you a long time."

"Your pains deserve thanks neither at God's hands nor mine. I will neither read nor receive your letter. Nor will I obey it or you; for I am now under arrest of Mr. Shepherd, here by my side."

Arrived at Lambeth, Mr. Barrow was detained in an anteroom until Watson had had an interview with the Archbishop, to whom he related the conversation in the boat. He was then conducted into the presence-chamber, where were the Archbishop, the Archdeacon Mullins, and Dr. Cosins, constituting a quorum of the High Commission.

"Is your name Barrow?" inquired the Archbishop.

"Yea."

"It is told me that you refuse to receive or obey

our letter. Know you what you do? It is from the High Commissioners, and this man is pursuivant."

"I *did* refuse to receive or obey that letter."

"Why?"

"Because I was under arrest and imprisoned without warrant and against law. Therefore it was too late to bring the letter."

"Why! may not a Councillor commit to prison by his bare commandment?"

"That is not the question; but whether this man, the keeper of the Clink, may do it without warrant, by the law of the land."

"Know you the law of the land?"

"Very little. Yet was I of Gray's Inn some years." Whereupon they all made sport of his little knowledge of law.

"I pray you," said Mr. Barrow, when their merriment had subsided, "why have you imprisoned me, and after this manner sent for me?"

"That you shall know upon your oath," said the Archbishop. "Will you swear?"

Hereupon, a long dialogue ensued about taking the oath required; but Mr. Barrow declared that he would take no oath to accuse himself.

"Well," said his Grace, "can you find sufficient surety for your good behavior?"

"Yea, as sufficient as you can take."

"But know you what bond you should enter? You are bound hereby to frequent our churches."

"I understand you, of my good behavior."

"And in it is this contained."

"Well; now I know your mind, I will enter no such bond."

"Will you enter bond to appear on Tuesday next at our Court, and so on Thursday, if you be not called; and be bound not to depart until you be dismissed by order of our Court?"

"No."

"Then I will send you to prison."

Mr. Barrow was then delivered to the pursuivant, and taken to the Gate-house, without being informed of the cause of his imprisonment.[1]

Eight days afterwards, he was again called before the Commissioners; when the Archbishop again demanded whether he would now swear.

"I must first know to what."

"So you shall afterward."

"I will not swear, unless I know before."

"Well, I will thus far satisfy your humor."

A Paper was then read, by which, for the first time, Mr. Barrow was made acquainted with the charges against him. The substance of the whole was, "that he held the Church of England to be not a true Church." This opinion, the Paper alleged, he sustained by the following reasons: "That the worship of the English Church is idolatry; that its ministry is Antichristian; that its preachers are hirelings, and have no Scriptural calling; and that unsanctified persons are admitted to its communion."[2] After the reading of this Paper, the Archbishop resumed. "Now you know what you shall swear unto. How say you, will you swear or no?"

[1] Harleian Miscellany, IV. 327–330.

[2] Paule's Whitgift, Secs. 66 67, compared with Harleian Miscellany, IV. 330.

"An oath requireth great consideration. But I will give you a true answer. Much of the matter of this bill is true, but the form is false."

"Go to, sirrah! Answer directly, will you swear?"

"There is more cause to swear mine accuser. I will not swear."

"Where is his keeper? You shall not prattle here. Away with him. Clap him up close, — close. Let no man come at him. I will make him tell another tale ere I have done with him."[1]

Four months afterwards — March 24th, 1586–7 — Mr. Barrow was brought before "certain Commissioners thereunto *especially appointed* by her Majesty." Again he refused to swear; whereupon his Grace so far yielded as to say, "A Christian man's word ought to be as true as his oath. We will therefore proceed with you without your oath."

A series of written questions — all of which concerned only his *opinions* — were then propounded to him, to which he gave the following answers. "That the Lord's prayer was intended as a pattern only, not as a prescript form: That it is not right to impose any form of liturgy upon the Church: That the Book of Common Prayer, and most of the worship therein, is wellnigh idolatrous, superstitious, and Popish: That the sacraments, as ministered in the public assemblies, are not true sacraments: That the parish assemblies, as they stand generally, are not the true established churches of Christ: That the government established over

[1] Harleian Miscellany, IV. 331.

them hath no warrant from the Word of God, but is Antichristian: That such as have been baptized therein according to the order therein established, have not been rightly baptized according to the institution of Christ; but yet they need not and ought not to be baptized again: That the queen is supreme governor over the whole land, and over the Church also, both bodies and goods; yet no prince, nor the Church itself, nor the whole world, may impose any laws upon the Church other than Christ hath left in his Testament: That sundry of the laws, decrees, and canons of the Established Church, and its ecclesiastical courts and governors, are unlawful and Antichristian: That the judicial law of Moses — excepting its ceremonial parts — cannot be abrogated: That the judgments set down for the transgression of the moral law may not be changed: That no private persons may reform the State without consent of the prince: That the holy government of the Church cannot without sacrilege be set over these parishes as they now stand, no difference made betwixt the faithful and the unbelieving; but over every particular congregation of Christ there ought to be an eldership: That the Church may, and ought to, reform abuses therein, whatsoever the prince may order: That if the prince do sin and obstinately persist therein, the Church should so adjudge, and the pastor pronounce, excommunication."[1]

Mr. John Greenwood had been assistant chaplain to Mr. Robert Wright, about the year 1581, in the

[1] Harleian Miscellany, IV. 332–334. "The Egerton Papers," 167–170; by the Camden Society, London, 1840.

family of Lord Rich,[1] whom we have had occasion to mention.[2] He had abjured his episcopal ordination, and therefore no longer considered himself a clergyman.[3] After having remained "long close prisoner" in the Clink, he was brought before the same special Commission which we have mentioned, and apparently on the same day — March 24th, 1587 — when Mr. Barrow appeared before them. This Commission sat at London House, the palace of the Bishop of London.[4] His examination was of the same general character as that of Mr. Barrow; comprising like questions and like answers.[5]

In the refusal of these men to swear before the Commissioners we do not discover any "conscientious objections to judiciary oaths" generally, nor any analogy between them or their confriers to "the Society of Friends."[6] These have ever objected to *all* oaths; the others did not.[7] Both Mr. Barrow and Mr. Greenwood admitted, in express words, the propriety of judiciary oaths, when made in the name of God simply, — i. e. by not joining a creature, a book, for example, to the name of God, — by holding up the hand toward heaven and swearing, when the occasion was of sufficient gravity, when the matters to be sworn to were first made known, when the oath was not urged upon com-

[1] Strype's Annals, V. 179.

[2] *Ante*, Vol. II. pp. 237 – 249.

[3] Harleian Miscellany, IV. 338. Strype's Annals, V. 179.

[4] Hanbury, I. 62. Brook II. 30. I *infer* this date from the fact that the persons who sat in Commission and examined Mr. Greenwood were the same as those who examined Mr. Barrow on the 24th day of March. (Harl. Misc., IV. 331 and 338 compared.)

[5] Harleian Miscellany, IV. 338 – 340.

[6] As Mr. Hanbury apparently does, I. 86.

[7] Ibid., 85, 86. Strype's Annals, VI. 117.

pulsion,[1] and when it did not expose them to self-crimination.[2] On the other hand, in the record of their examinations we discover what interests us much more, — the intrepid coolness with which they met demands contrary to their consciences, and their readiness to avow — without reserve, coloring, or apology — their most secret and most obnoxious opinions, when interrogated upon their simple word by a tribunal so despotic. Frankly to maintain the simple but grand principles of Independency, — so startling and strange in that day, — which struck at the very root of a haughty, sensitive, and irritated Establishment, holding in its right hand the sword of state, which also, and in God's name, barred the authority of the prince from the affairs of the Church, and placed him beside the humblest peasant *there*, and equally amenable to the laws of Christ, — to avow such principles before such a court, and under such a queen, was an act of conscientious courage which commands our admiration. It was not hare-brained audacity. Only men of true moral greatness could have done it. It was Christian magnanimity, — heroism.

Mr. Barrow and Mr. Greenwood remained in prison until May, 1587,[3] when they were "enlarged upon bonds."[4] They now devoted themselves to the

[1] Compare the language of Peter Wentworth on this point, *ante*, Vol. II. p. 35.

[2] Harleian Miscellany, IV. 327–338, *passim*; Examinations of Barrow and Greenwood.

[3] Harleian Miscellany, IV. 336. "Half a year close prisoner in the Gate-house." (Barrow to the Lord-Chancellor Hatton.) Half a year from November 19th, 1586. (Harl. Misc., IV. 330.)

[4] Paule's Whitgift, Sec. 67. Sir George Paule says that their liberation was because they had "made show of conformity," which we may reasonably doubt. But Collier is certainly in error,

mission of strengthening their brethren of the Separation, and of being strengthened by their Christian fellowship; going from house to house, reading the Scriptures, speaking and hearing words of exhortation and encouragement, and bowing with others in prayer. They were thus engaged in the house of a friend, one Lord's day in the latter part of August, a little more than three months after their liberation. The Word of God was opened before them, and Mr. Greenwood was reading. Four others of the brethren were present, — John Clerke, a husbandman,[1] Henry Thompson, George Collier, and John Chamber, — and three aged widows, — Maynard, Roe, and Barrow.[2] In the midst of this devout service, — described as "bursting forth into further extremities,"[3] — the sheriff of London[4] broke in upon them with his officers, and the whole company were hurried off to prison, — the three widows to Newgate, Clerke to Bridewell to grind in the mill, the others to the Clink.[5] After remaining thirty weeks in the Clink, Barrow and Greenwood were transferred to the Fleet,[6] where they were kept "clapped up close." On the eighteenth day of March, 1587–8, Mr. Barrow was hurriedly taken to Whitehall before the Lord Chancellor Hatton, the Lord Treasurer Burleigh, the Archbishop of Canterbury, and others.[7] Here, upon his

and I fear culpably, when he says (Vol. VII. 167) "they *promised to recant*."

[1] Waddington's Penry, 100.

[2] Brook, II. 39; who, in the same connection, gives the names of others, who *may* have been present. I mention only those whom he expressly mentions as being there.

[3] Paule's Whitgift, Sec. 67.

[4] Waddington's Penry, 101.

[5] Ibid. Brook, II. 38, 39.

[6] Brook, II. 38.

[7] In his account of this, (Harl. Misc., IV. 334,) Barrow does not

knees, he was subjected to another tedious examination (chiefly upon controverted points), which it is unnecessary to describe. The Lord Treasurer entered freely into the examination, but treated Mr. Barrow with great mildness, although declaring that he thought him "a fantastical fellow." It being observed that he did not pay such reverence to the Archbishop and the Bishop of London as to the temporal lords,"[1] the Lord Chancellor, at the close of the examination, asked him if he did not know those two, — pointing to them.

"Yes, my lord, I have cause to know them."

"Well, is not this the Bishop of London?"

"I know him for no bishop, my lord."

"What is he, then?"

"His name is Aylmer, my lord." ("The Lord pardon my *fault*," exclaims Barrow in his narrative, "that I laid him not open for a wolf, a bloody persecutor, and an apostate!")

"What is *that* man?" asked Hatton, pointing to the Archbishop.

give the *year;* only "the 18 day of the third month," i. e. March. But this date and the narrative which follows it occur *after* his narrative of the *twenty-fourth* of March. From this fact, and from the fact that in 1586 and in 1587 — with the exception of a few hours in the Clink — he had been confined *only* in the Gate-house, I think it clear that my date in the text is correct.

I am often obliged to make calculations for dates by comparing isolated statements in different authorities before me. I have done so in fixing the date of this second arrest of Mr. Barrow and Mr. Greenwood; for I do not find it stated anywhere. From the time of *this* arrest they were kept in the Clink thirty weeks, as stated in the text. Supposing them to have been in the Fleet two weeks before Mr. Barrow was summoned to Whitehall, this would have been thirty-two weeks. Dating back thirty-two weeks from March 18th, we arrive at the close of August, the date which I have assigned for their last arrest.

[1] Neal, I. 202.

"A monster! a miserable compound! I know not what to make him. He is neither ecclesiastical nor civil; even that second beast spoken of in the Revelation."

"Where is that place?" inquired the Lord Treasurer.

Mr. Barrow began to read Rev. xiii. 11, and 2 Thess. ii. 4; when the Archbishop rose, much excited, and exclaimed, "Will you suffer him, my lords?" His keeper then took him in charge to conduct him away; when he prayed the Lord Treasurer that he might have the liberty of the air, but received no answer.[1]

We have transcribed this episode with sorrow; and only because we have no right to throw a mantle over the misconduct of those whose history we trace. In this instance, the examinate was certainly foolhardy; and, so far as we can see, transgressed those rules of decorum which are obligatory upon all, and pre-eminently upon the disciples of Christ, save in those rare instances where courtesy cannot consist with public or official duty. "God shall smite thee, *thou whited wall!*" said the Apostle Paul to the High-Priest; but when he understood that he *was* the High-Priest, he apologized. We find, however, that Mr. Barrow, after the moment when he may have been moved by strong provocation, *asked pardon of God* that he had not been equally severe upon the Bishop of London. There may, therefore, have been something in the circumstances of the case which, if known and appreciated by us, would cause us to modify our censure. The

[1] Harleian Miscellany, IV. 337.

severities — we may say, the lawless and heartless cruelties — of these two prelates, may have been palliating reasons for such public and defiant words. Certainly, the same prelates in their own day were censured by others in high rank and authority;[1] and few in these days will question the *literal* truth of Mr. Barrow's words, when describing the mongrel behavior of his Grace of Canterbury.[2]

We confess that we do not perceive the object of this examination. Nor do we understand how it happened that, *after* Mr. Barrow and Mr. Greenwood had been confined seven months in the Clink, and thence transferred to the Fleet, and after Mr. Barrow had been put upon examination, both should have been arraigned before the High Commission and *re*committed. But so stands the testimony: "They were *again* committed to the Fleet, July 20, 1588";[3] where we leave them for the present, fellow-prisoners with Mr. Cartwright.[4]

[1] Marsden, 175.

[2] Mr. Hanbury (I. 37), lamenting and professing not to palliate this indecorous outburst of Mr. Barrow, yet refers, as if to soften it, to "the then inconceivable excitement of the times and the unappalled spirit which oppression itself had excited"; and charitably concludes by saying (p. 38), "On a return of similar atrocities to those of Whitgift . . . . we should not trust ourselves that we could refrain from Barrow's plainness of speech."

[3] Paule's Whitgift, Sec. 67.

[4] Birch, I. 62. Strype's Whitgift, 337.

CHAPTER XIV.

THE INDEPENDENTS.

THE BISHOPS THEIR OWN ENEMIES. — INCREASE OF THE INDEPENDENTS. — THEIR SECRET ASSEMBLIES. — A CHURCH ORGANIZED IN LONDON. — MIDNIGHT ARREST OF GREENWOOD AND JOHNSON. — FIFTY-SIX PERSONS ARRESTED AT ISLINGTON. — OTHER ARRESTS. — PRIVATIONS OF PRISON LIFE. — PRISONERS DETAINED WITHOUT TRIAL. — THEIR COMPLAINT. — THE JAIL-FEVER. — FLOGGING WITH CUDGELS. — THE TORTURE OF "LITTLE EASE." — DEATH IN PRISON. — CHAINS AND DUNGEONS. — MANY DIE; SOME THRUST FORTH TO DIE. — WHO WERE RESPONSIBLE FOR THESE HORRORS, AND HOW FAR. — THE FACTS CONCEALED FROM THE QUEEN. — THE INQUISITION OF ENGLAND AND THE INQUISITION OF SPAIN COMPARED.

1588–1593.

"AND all to clip the wings of the bishops," wrote Mr. Strype, when giving an account of bills ecclesiastical introduced to the Parliament of 1584–5.[1] As we refer to their *own* doings from the beginning, and especially to their dominant influence in the cases of Mr. Cawdrey and Mr. Udal, we cannot but echo the words, "And all to clip the wings of the bishops." Though screened behind bench and jury-box, it was well known, or at least believed, that their influence upon the queen guided prosecution, verdict, and judgment. Thus their apparent success was unreal. The moral effect of each decision was deceptive, — apparently triumphant and stunning, but really reactive, and in the end terribly retributive.

[1] *Ante*, Vol. II. p. 476.

They had more reason to regret than to exult over each of these cases, and had they not been bleareyed and infatuated, — characteristics of despotism, — they would have regretted them; for, as we have already suggested, the popular indignation had been roused against the bishops by these doings of the servile courts, as much as by those of the Commissioners in the case of Mr. Cartwright. Thus, without being conscious of it, the prelates had already clipped the *tips* of their own wings. The truth now and thus began to be foreshadowed, that "might is on the side of him who suffers, not of him who torments."[1] Puritanism was invigorated, when supposed to have been weakened; and even Independency throve under the prelatic frown and the prelatic finger. The dangling corpses of Thacker and Copping had provoked inquiry into their crime and murmuring against their executioners. Thus, in mockery of the burning of their books, their ecclesiastical principles were enstamped in large letters upon the very posts of their gibbet; and thus again these principles, far more consonant with the instincts of humanity than those of the Puritans, which blended Church and State, were imbibed with the greater rapidity. During a single decade of years — from 1582 to 1592 — the grain of mustard-seed had become a sheltering tree; an insignificant sect had been multiplied to twenty thousand of Elizabeth's stoutest subjects, having wives and children.[2]

All this increase was the result of the simplest means, — no oratory, no scholarship, no patronage, no promise or vision of aggrandizement, — only the

[1] Marsden, 182. [2] D'Ewes, 517.

Word of God, devoutly read, devoutly heard, and welding heart to heart of those to whom it was ministered. This was a crime in the eye of the State Church, especially as it involved a forsaking of the worship and a disowning of the ministry established.[1] Hence those of this "wicked sect," so called,[2] who lived in and about London met in secret places; — at Fox's Ordinary; in a house in Oldgate; in the house of Roger Rippon in Southwark; in Bilson's house in Cree-church, a parish of St. Katherine's;[3] in a garden-house at St. George's-in-the-Fields; at Islington, also in the immediate suburbs of the city; and at Deptford on the Thames, four miles east of London.[4] In the summer they assembled about five o'clock in the morning of Lord's day, under cover of the woods which here and there skirted the city,[5] or on some secluded hill-side. In the colder months they met in houses; sometimes in the city; sometimes in Southwark; sometimes in Deptford; sometimes in houses belonging to the suburban gardens whence the city market was supplied.[6] They continued together during the whole day, sometimes joined by persons not affiliated.[7] Except during a short intermission for dinner, they occupied the time in reading and expounding the Scriptures, and in extempore prayers, uttered by some one voice and without responses. Before dispersing, they made collections; the surplus

[1] Strype's Annals, VI. 104.
[2] Ibid., 102.
[3] Stow's Survey, 278.
[4] Hanbury, I. 85. Waddington's Penry, 101. Brook, II. 45, 47. Waddington's MS.
[5] Ibid.
[6] Ibid.
[7] Strype's Annals, VII. 244. Hanbury, I. 85. Brook, II. 45.

of which, after paying for their frugal meal, was devoted to the relief of their brethren in prison.[1]

Such were the religious assemblies of the Independents, such their modes of worship, and such their sanctuaries. But they were without the sacraments of the Gospel; for they shunned as corrupt the ministry and the ordinances of the parish assemblies, had no church organization of their own, and no brother set apart by ordination to the office of the holy ministry.[2]

One day in September, 1592,[3] "a great many men, with some women," and a few children, were entering Mr. Fox's Ordinary in Nicholas Lane,[4] not in groups or in close succession, but in a careless and straggling way, as if happening thither without concert, as guests ordinarily come to a public house.[5] By and by they were gathered in a spacious room, and were seated as it chanced, preserving a rigid silence. They did not seem gloomy; they did not seem convivial. Each countenance was serious, yet expressive of serene contentment. At the farther end of the apartment was a table, upon which rested some small vessels covered with a linen cloth of the purest white. When it became certain that their company was complete, one of them, seated near the table, rose and uttered a few words of welcome and congratulation. Then

[1] Strype's Annals, VI. 103.

[2] I do not understand why the Independents in and around London should have continued so long without the sacraments; for, upon their own principles, they might have elected their officers and conveyed ordination at any time.

[3] "About half a year sithence"; Strype's Annals, VII. 245, from the deposition of Daniel Buck, given on the ninth day of March, 1592–3.

[4] Ibid. Waddington's Penry, 93.

[5] Hanbury, I. 86, note: "They do not flock together, but come two or three in a company."

followed a short prayer without book. Then, while all stood reverently and silently, he read these simple words: "We" — the several names of those present being pronounced — "agree to walk together in the way of the Lord, and as far as may be warranted by the Word of God."[1] To which a solemn assent was given by all.

"By this covenant, brethren," said the same voice, "we are now constituted a true and distinct church of Christ. Yet it remaineth for us, looking to God for direction, to elect our pastor, our teacher, our deacons, and our elders, that we may be furnished with those officers set forth in the Testament of our Lord."[2] The church was then organized by choosing Mr. Francis Johnson, pastor; Mr. John Greenwood, doctor or teacher; Christopher Bowman and Nicholas Lee, deacons; and Daniel Stud-

[1] Strype's Annals, VII. 244; Buck's testimony.

[2] *Ante*, Vol. II. p. 302.

It should be noted, that we find no intimation, in this instance, of any written *creed* to be assented to as a condition of church-membership. In this connection, I refer my readers to a "Congregational Dictionary," by Rev. Preston Cummings of Leicester, a work evincing much research. In the article "Creeds," it appears satisfactorily, I think, that the Congregational churches, from the time of which I write, abjured all creeds *as tests* of Christian character, or of fitness for church fellowship and communion; and that for more than a century those churches were *more truly catholic* in spirit than any churches in the world, "making the terms of communion run as parallel as might be with the terms of salvation," ready "with delight to see godly Congregationalists, Presbyterians, Episcopalians, Antipedobaptists, and Lutherans *all members* of the same churches and sitting together without offence in the same holy mountain and at the same holy table," &c.

Mr. Cummings assures me, that requiring an assent to any particular formula of religious faith, *as a strict condition* of church fellowship, is an innovation upon the Congregational system, unknown in the churches until within a hundred or a hundred and fifty years. (Compare *ante*, Vol. II. p. 308, and note 2.)

ley[1] and George Kniston, elders.[2] Probably Mr. Greenwood was chosen doctor, because, being imprisoned, he could perform to the church no other service than that of instruction by letters or other missive counsel.[3]

The covering was then removed from the table, revealing the sacramental vessels and elements, and

[1] Egerton, Papers, 176.

[2] In the account of this organization, there is no mention of any act of ordination. In Mr. Johnson's case it was not thought necessary, if — as I suppose — he had received episcopal ordination, and considered that sufficient. But Mr. Greenwood had renounced his episcopal orders, and considered himself a mere layman, not authorized to administer the sacraments. If, then, — as Dr. Waddington supposes, — he was present upon this occasion, "being out of prison on bail for the night" (Waddington's MS.), he could not consistently have proceeded in the administration of the Lord's Supper without first submitting to the ceremony of ordination. But we find no mention of his presence or of his ordination, either in Buck's account or in any other records of the time. Mr. Greenwood was *afterwards* temporarily liberated; but that does not imply that he was at this time.

Mr. Johnson had experienced much trouble at Cambridge for his Puritan principles. (Strype's Whitgift, 296, 297; Annals, VII. 117–122. Brook, II. 89–96.) But he, like other Puritans of the Presbyterian school, had been as much opposed to the tenets and practices of Independency as to those of Episcopacy. Hence, when at Middleburgh in Zealand, he was so zealous against Mr. Barrow and Mr. Greenwood, "that, when their 'Refutation of Gifford' was privately printing in this city, he not only was a means to discover it, but was made the ambassador's instrument to intercept them at the press and see them burned, ... surprising the whole impression. . . . . Only he took up two of them, ... and being set down in his study, he began to turn over some pages of this book, and superficially to read some things here and there as his fancy led him. At length he met with something that began to work upon his spirit, which so wrought with him as drew him . . . . seriously to read over the whole book; the which he did once and again. In the end he was so taken, and his conscience was troubled so, as he could have no rest in himself until he crossed the seas and came to London to confer with the authors, who were then in prison. After which he was so satisfied and confirmed in the truth, as he . . . . adjoined himself to their society at London." (Morton, 334.)

[3] At least such is Dr. Waddington's opinion. MS.

a small baptismal font. Mr. Johnson then administered the ordinance of baptism to "seven children, being several years of age,"[1] without godfathers or godmothers, simply applying water to their faces, saying, "I do baptize thee in the name of the Father, of the Son, and of the Holy Ghost." These were children of different members of the church, and were probably presented by their parents. If they were so presented, the church was Pedobaptist. Then followed the sacrament of the Lord's Supper, administered by the pastor, after the simple form common in our Congregational churches of the present day; and, finally, a collection of money, to be distributed by the deacons, at their discretion, among the poor.[2]

"It was intended to organize a second church, ... but an intercepted letter, falling into the hands of Dr. Bancroft, revealed their plan, and led to its frustration."[3] Virtually, however, a distinct church existed in Bridewell, — whether formally organized or not does not appear, — where, "by the indulgence of the jailer," the brethren prisoners, and sometimes others, met for worship, preaching, discipline, and the admission of members "on the personal declaration of their religious sentiments and purpose to walk in the truth."[4]

Edward Boys was "an honest citizen" of London living "upon Ludgate Hill." On the night of

[1] Not "infants," as Dr. Waddington says in his MS., unless he uses the word in the technical sense of the law.

[2] Strype's Annals, VII. 245.

[3] Waddington's Penry, 94.

[4] Ibid., 90, 104. That something of the kind existed also in the Fleet is intimated in Harl. Misc., IV 339.

the 5th of December, 1592, when sound asleep, he was shaken roughly by the shoulder and ordered to rise. The voice, the hand, and a scream from his wife, broke the spell of his heavy sleep, and he sprang erect in bed, mazed by the glare of lanterns and the presence of strange men.

"What, ho!" instinctively making a demonstration which did not please his visitors.

"Be quiet, goodman, be quiet!" and the speaker thrust him back upon his pillow. "Look to the woman there!" turning to one of his underlings; and Mistress Boys, who had taken a step or two, was rudely jerked to the bedside by the hair of the head, where she sat trembling and moaning.

"To be living so snug, Master Boys," continued the same voice, "when good men and true must keep watch and ward for her Majesty's behoof,—this be a woundy shame! Fie, man!"

For the moment confused by the sudden apparition of moving lights, deep shadows, and rude strangers, Mr. Boys, although still under the strong hand of his captor, had recovered sufficiently to demand with some energy the meaning of this midnight inroad.

"What are ye? Burglars? By what right, for what, are ye here?"

"So ho! fair words, Master Boys, fair words! The right? See!" and the man, throwing open his outer garment, showed the badge of a pursuivant.

"From Lambeth," said Mr. Boys. "What would you?"

"To show you to the Counter."

"Your warrant."

"Mine office be my warrant."

"That is not enough."

Mistress Boys had now become sensible of her indelicate exposure, and made an effort to huddle her garments for a screen to her person. An attendant, seeing her movement, thrust her prostrate upon the couch. The husband's English blood was up, and he dealt the ruffian a sudden blow, which sent him staggering to the wall. The next moment he was dragged from his bed and pinioned.[1] After some oaths and a warm altercation, ending in a promise from Mr. Boys to make no resistance, (which he saw would be useless,) he and his wife were permitted to clothe themselves, undergoing in the mean time many a rude and indecent jest. They were then taken to another apartment, where they found Mr. Greenwood and Mr. Johnson, their guests, who in the mean time had been in the same sort roused from their beds. Mr. Greenwood undoubtedly had a temporary parole granted to him by his jailer, on the simple guaranty of his word to return.[2]

"So ho! Master Boys! You see now that we find you harboring traitors! Dost understand thine arrest? Now, men, search the house for books and papers. Nelson and I will guard these fellows."

[1] "The husbands, in the deep of the night, they have plucked out of their beds from their wives." (Strype's Annals, VII. 133.)

[2] I have already mentioned such an instance (*Ante*, Vol. II. p. 254). But, that Mr. Greenwood was released by his Grace of Canterbury, or by any of the bishops, on bonds of forty pounds, as some Puritan ministers had been for the *daytime* only (Strype's Annals, VII. 66; *ante*, p. 396), there is not the least reason to suppose. Indeed, there are strong reasons to suppose otherwise; for the Independents were much more obnoxious to the bishops, and much less able to procure bonds in a sum of money, than the Presbyterians.

"My children!" exclaimed Mistress Boys. "Do not frighten them. Let me bring them hither."

"Silence!" and his men dispersed.

A merry time had these harpies, as "at their pleasure they searched and ransacked all places, chests, &c.," burst open closets and drawers, and crashed wainscoting, in search of plunder, under pretence of searching for books and papers.[1] The cries of terror from the children were soon heard, and the mother sprang for their protection.

"Back, woman!" and the pursuivant struck her! She sank into her seat again, murmuring, "My God! my God!" while the blood trickled from her lips.

"Gag those brats!" roared the brute; and soon all was hushed but the moan of a poor servant-girl, of whom further we depone not.[2] It is sufficient to say in general, that the house was rifled of whatever portables excited the cupidity of the plunderers. The men then rallied around their leader, who directed them to remove the three prisoners. Mr. Johnson protested against this, there being no warrant showed — indeed there was none — for his apprehension.

[1] "Their pursuivants, with assistants, break into our houses at all hours of the night. There they break up, ransack, rifle, and make havoc at their pleasure, under pretence of searching for seditious and unlawful books" (Strype's Annals, VII. 133; Supplication of January, 1592–3); "even robbing and taking away whatsoever they think meet from us." (Hanbury, I. 89: Supplication of March, 1592–3.)

[2] "Their lamentable and barbarous usage of women and young children in these hostile assaults, ... their lawless privy searches." (Hanbury, I. 89; Supplication to the Council.) *This* Supplication, as appears from one clause which it contains compared with the date of Buck's testimony, must have been written immediately after the first Sunday in March, 1592–3.

"I take you at mine own risk," said the officer. "As for Mr. Greenwood, he is already a jail-bird."

Mr. Boys, however, after much entreaty, was left under his own roof, upon giving "assurance to be true prisoner in his own house until he should be sent for." The others, "between one and two of the clock after midnight, with bills and staves were led to the Counter of Wood Street." The next day all three were committed to prison by "the Archbishop, with certain doctors, his associates."[1]

We record this incident, not only because it is of interest as an historical fact, but as a specimen of that habitual *lawlessness* of the High Commission to which we have before adverted,[2] and as a specimen

[1] Waddington's Penry, 105. Strype's Annals, VII. 133, 134, and Neal, I. 199, note; Supplication of the Separatists to the Lords of Council, January, 1592–3.

Dr. Waddington is the only writer with whom I meet who gives the date of this midnight arrest, — "Dec. 5th, 1592," (Life of Penry, 105,) — a date which has saved me from serious mistakes. It enables us to fix pretty nearly upon the date of this very Supplication, which itself bears no date of month or year. But it says, that this arrest at Mr. Boys's house took place "about a month since." Therefore the Supplication — Dr. Waddington's date taken for granted — must have been written about the 1st of January, 1592–3.

[2] "This term" — Trin. 6 Jac. I. — "it was resolved by the whole Court .... that the High Commissioners cannot, by force of the Act 1 Elizabeth, Cap. I., send a pursuivant to arrest any person subject to their jurisdiction, to answer to any matter before them. But they ought to proceed according to ecclesiastical law, by citation; for the Statute 1 Eliz. did not give them any such authority to arrest the body of any subject upon surmise. And although it be comprised within their commission, that they may send for any by pursuivant, &c., yet, inasmuch as this hath no foundation upon the Act 1 Eliz., the king by his commission cannot alter the ecclesiastical law, nor the proceedings of it. For the Act says, that the Commissioners shall exercise, use, and execute all the premises (according to the privileges of the Act) according to the said Letters Patent; *id est*, the Letters Patent which are mentioned and

of the deportment of their officers, — of "their *manner* of pursuing and apprehending with violence and outrage."[1]

Mr. Johnson knew at what peril he identified himself with "this sect which was everywhere spoken against"; for all London had seen open proof that the Commissioners were specially excited against them, and he had reason to believe that he was dogged by determined spies. He had therefore pursued the duties of his new office with the utmost caution, meeting his little flock "in different places, and sometimes in the dead of night."[2] But these secret proceedings were suspected by the prowling detectives of the bishops, and they were doubtless chagrined that their burglary at Ludgate Hill did not unveil a conventicle of the "wicked sect."

Although the church was now without a pastor, the bonds of brotherhood were unscathed. They still continued their religious assemblies until the first Sunday in March,[3] 1592–3, when fifty-six of them were apprehended at Islington "in the very

authority before; for this is implied in the word *said;* and for this, without question, the commission only, without the Act, cannot answer the proceedings of the ecclesiastical law.

"And in the circuit of Northampton .... a pursuivant was sent by the Commissioners to arrest the body of a man to appear before them, and, in resistance of the arrest and striving among them, the pursuivant was killed. If this was murder, or not, was doubted. And this depended upon the validity of the power and authority of the pursuivant; for if his authority was lawful, then killing an officer of justice in execution of his office is murder. Advisement was taken till the next Assizes; and upon conference at the next Assizes it was resolved that the arrest was *tortious*, and, by consequence, that this was not murder." (Coke, Part XII. pp. 49, 50.)

[1] Strype's Annals, VII. 133.

[2] Brook, II. 97.

[3] "The 4th of March." Waddington's MS.

same place where the persecuted church and martyrs were enforced to use the same exercise of prayer, praise, and hearing the Word of God in Queen Mary's days." All of them were immediately sent, two by two, to the different prisons about London, and "unbailably committed by the prelates or the Bishop of London."[1] Thus was this infant church scattered and peeled. But a seed remained. "*Many* were still out of the hands of the persecuting and bloodthirsty faculty, — the prelates of the land and their complices."[2]

For six years, the bishops had been hunting "Barrowists." Before December, 1590, they had caught "above eighty" in their toils, and committed them to prison; although at *that* time they held not more than fifty in close confinement, the others having died, or, for reasons which we shall specify, having been released.[3] In January, 1592–3, the number had increased to sixty;[4] and after the arrest at Islington they counted at least "seventy-two persons, men and women, young and old."[5] Besides these, there were others in "other jails *throughout the land*."[6] Some had been arrested for

[1] Strype's Annals, VII. 244; Buck's deposition. Hanbury, I. 89; "Supplication of those called Brownists" to the Council, March, 1592–3. Brook, II. 97. *Ante*, Vol. I. p. 127, and references.

[2] Hanbury, I. 89, 90; Supplication (in March) to the Council.

[3] Waddington's Penry, 249; Barrow to Fisher.

[4] Strype's Annals, VII. 134; Supplication (in January) to the Lords of Council.

[5] Hanbury, I. 89; Supplication (March, 1592–3) to the Lords of Council. But for the language here, which seems to imply that those taken at Islington were included in the seventy-two, I should have written instead, one hundred and twenty-eight, and even now I am not confident that this was not the true number.

[6] Ibid. Morton, 343.

conventicle worship; some, for forsaking their parish assemblies; some, for dispersing, having, or *seeing* certain books supposed to have been written by Greenwood, Barrow, and Penry; and some, "for hearing a piece of the New Testament read and expounded in one of their houses upon a Lord's day";[1] but all had been committed upon the *sole commandment* of the Bishop of London, "*contrary to all law* and equity."[2] They had no allowance of meat, drink, fire,[3] or bedding; and friends who would have relieved them were forbidden access to them.[4] Sometimes they were kept successive days and nights "without any manner of sustenance"; sometimes week after week with only a straw mat to sleep on, even in the coldest weather, and without a change of linen.[5] Some "had not

[1] Brook, II. 45, 99. Strype's Annals, VII. 134. Waddington's Papers (from Lansdowne MS. 77, Art. 26); John Johnson to Lord Burleigh.

[2] Strype's Annals, VII. 128; Supplication to Lord Burleigh, without date, but certainly written after the arrest on Ludgate Hill, for it was signed by persons subsequently apprehended. Compare Ibid., 129, 130, 134.

[3] Pierce, 144.

[4] Morton, 343, 344.

[5] John Johnson to Burleigh.

John Johnson was the Mayor of Richmond in Yorkshire (Waddington's MS.), and the father of Francis Johnson, and of George, his younger brother. Both of the sons "had been scholars and Masters of Arts in the University of Cambridge." In his petition to Lord Burleigh for their relief, the father said of George, "He hath been kept sometimes two days and two nights together without any manner of sustenance. Sometimes twenty nights together without any bedding save a straw mat, and as long without any change of linen; and all this sixteen months in the most dark and unwholesome rooms of the prison they could thrust him into, not suffering any of his friends to come unto him, and now of late not permitting your orator, his father, so much as to see him." (Waddington's Papers; from Lansdowne MS. 77, Art. 26.)

"When our poor old father," wrote Francis afterwards, "sued to Mr. Justice Young only that he might have liberty of the prison, the Justice and the Dean of Westminster would have sent *him* to prison, had not Mr. Justice Barnes

one penny about them when sent to prison," and were possessed of no means to maintain themselves or their families but their "handy labors and trades"; and from these means they were of course cut off.[1] So close, in some instances, was their approach to literal starvation, that temporary liberty upon bail was allowed solely that they might protract life by gleaning a little food.[2] In all this penury, under all this privation, many of them were kept, — "aged widows, aged men, and young maidens," as well as the more vigorous and hale, — "without any cause either for error or crime directly objected,"[3] "never called to trial," "debarred from any lawful audience before the magistrates, and from all benefit and help of the laws," "without any release or bail"; some, nineteen months; some, two years and a half; some, three years; some, longer.[4] Under these sufferings, — and the half has not yet been told, — we think the language of the following complaint and prayer but moderate. "Bishop Bonner, Story, Weston, dealt not after this sort; for those whom they committed close, they brought them in short space openly into Smithfield, to end their misery and to begin their never-ending joy; whereas Bishop Aylmer, Dr. Stanhope, and Mr. Justice Young,

stayed them." (Strype's Annals, VII. 188; Francis Johnson to Burleigh, January, 1593–4.) Thus we see on what slight grounds men were liable to be imprisoned by the Commissioners. Even the promptings of parental instinct might be construed into crime!

[1] Strype's Annals, VII. 128. Pierce, 144, 145; from a letter of Barrow.

[2] Waddington's Penry, 249; Barrow to Fisher.

[3] Strype's Annals, VII. 133.

[4] Ibid., 128, 133. Brook, II. 39. Waddington's Penry, 101 *bis*, 251; Barrow to Fisher.

with the rest of that persecuting and bloodthirsty faculty, will do neither of these. . . . . Are we malefactors? Are we anywise undutiful to our prince? Maintain we any errors? Let us, then, be *judicially convicted* thereof, and delivered to the civil authority. But let not these bloody men both accuse, condemn, and close murder us, after this sort, contrary to all law, equity, and conscience; where alone they are *plaintiff, accusers, judges,* and *executioners* of their most fearful, barbarous tyranny. They should not, *by the laws of the land,* go any further in cases of religion than their own ecclesiastical censures, and *then refer us to the civil powers.* Their forefathers, Gardiner, Bonner, Story, dealt thus equally; and we crave but their equity. . . . . We crave but liberty either to die openly, or to live openly in the land of our nativity. If we deserve death, it beseemeth the magistrates of justice not to see us closely murdered. . . . . If we be guiltless, we crave but the benefit of our innocency, that we may have peace to serve God and our prince in the place and sepulchres of our fathers. Thus protesting our innocency; complaining of violence and wrong; and crying for justice on the behalf and in the name of the Righteous Judge, we continue our prayers unto Him for her Majesty and your Honors."[1]

"But *murder* is a hard word."

Indeed it is! And so is the cry, "Air! air! Fresh air, for the love of God!"

"No fresh air!"

None, — none, — none! Poisoned air! Poisoned

[1] Hanbury, I. 89, 90; Supplication (March, 1592–3) to the Council.

by the exhalation from *latrinæ;* by the effluvia from sewers and from the persons of unwashen, drunken felons; by their oaths and obscenity; by having been breathed over and over by the inmates of crowded prisons; by filth accumulated in every corner.

"Christian men, sincere and true, shut up to such misery by the bishops of the English Church!"

True. Gasping at the grates for one, one breath of God's pure air! Not *so* terrible as the Black Hole of Calcutta, but like it, — a prototype.

"Still, murder, charged upon Protestant bishops, is a hard word, and strange."

Let us talk of that presently. First, about bad air and cold and filth and hunger, and some other things which were allotted in those days to strong men and old, to tottering widows and tender maidens. What we have said of the filth and filthy company which were Tregian's lot, what we have said in connection with the imprisonment of Field and Wilcox,[1] may serve as preparatory to a few stories by which we shall try to illustrate prison life and prison woe in the days of Elizabeth.

There was a sickness then, — sometimes called the plague and sometimes jail-fever, — generated by confinement, foul air, cold, filth, and hunger. At one time, in the year 1578, it smote to the death twenty Catholics in the castle of York, and again, in the year 1580, many others in Newgate prison.[2] But let us turn to other instances which reveal the characteristic features of this distemper.

[1] *Ante*, Vol. I. pp. 444–446; Vol. II. p. 89.

[2] Lingard, VIII. 151 and note. Taylor, II. 144.

We have mentioned Robert Bell, Esquire, as the first one of Queen Elizabeth's subjects who took a stand in Parliament against monopolies granted by the crown, afterwards Speaker of the House of Commons, then Lord Chief Baron of her Highness's Exchequer.[1] At the summer Assizes in Oxford, in the year 1577, he sat upon the bench when certain prisoners were brought directly from the jail to the bar. So overcharged were they with the miasma of their dungeons, that they imparted a sudden plague. Some among the crowd died upon the spot. Others, conscious of mortal disease, staggered into the fresh air for relief, but died in a few hours. Others lingered for days, infuriated by pain and delirium, dangerous to their attendants, reeling about out of doors wherever their madness impelled them, and uncontrollable, blind, deaf, sleepless, of unnatural strength to the last moment; some dying convulsively where the last agony seized them, in the field or street, some beneath waters into which they plunged. Some voided blood, and these retained their senses to the last. The most robust died the soonest. But the mysterious malady touched no woman, no child, no poor person, nor any one who had not been within the poisoned air of the hall of judgment at the time of the jail delivery. But almost all who were then present in the Court fell sick and died within forty days, — Sir Robert Bell,[2] the High-Sheriff, four justices, and seven other knights and gentlemen attached to the Court, and almost all

[1] *Ante*, Vol. I. pp. 386, 387, 423; Vol. II. p. 167.
[2] *Ante*, Vol. II. p. 267.

the jury. This fearful disease was fatal to three hundred persons in Oxford, fifty of whom were scholars in the University, and twenty were townsmen; and, in other places, to persons who sickened in the court-room, "two hundred and odd." All these were sensible *at the same time* of the fatal attack.[1]

A like case, and yet unlike, occurred at the Assizes held at Exeter in March 1585–6. The prisoners to be tried were so reduced by sickness, that they "were carried from the jail to the place of judgment, — some upon handbarrows and some between men leading them." In this instance, however, the communication of the sickness was not immediately apparent. All the members of the Court and all others present continued in good health, some of them for a few days only, but most of them fourteen days after exposure, and then sickened and died. Judges, lawyers, eleven out of twelve of a particular jury, and "of the plebeian and common people *very many*," were victims. The malady spread throughout the whole shire, and continued its ravages seven months.[2]

Such was the infectious and fatal character of that disease, which originated from the foul air, the loathsome offal, the cold and the hunger "of filthy jails, more unwholesome than dunghills and more stinking than pig-styes."[3] To be sure, the instances which we have cited were marked; the

[1] Camden, 223. Holingshed, IV. 343, 344. Fuller, Book IX. p. 109. Lodge II. 160 and note. Challoner, Introduction, pp. 4, 5. Wright, II. 61, 62, and note.

[2] Holingshed, IV. 868, 869. Stow, 719.

[3] Brook, I. 180; Robert Johnson to Bishop Sandys.

sickness was of an unusually malignant type. Yet in all the jails it was common in milder, though yet fatal, forms; epidemic, if not infectious, and most prevalent and vigorous in the London prisons during the months of August and September.[1]

We are therefore justified in saying "*poisoned* air," when speaking of an atmosphere which could beget such terrible disease. What must have been the sufferings of those, not relieved by death, who inhaled such noxious effluvia month after month, year in and year out!

"But you were speaking of *murder*."

True. But we were first to tell a few stories necessary to explain *the sort* of murder; and we have not yet concluded.

One Sunday morning, about a score of these prisoners of the "wicked sect" were in the large apartment in Bridewell common to all. They had come thither, for the most part one by one, from "the holes of the prison,"[2] where they had passed the night on their damp straw or mats infested with vermin. They had the haggard look peculiar to men and women bereft of sleep and food and warmth. Some of them, though all in the youth or prime of life, tottered into the hall, and tried to smile good morning.

"Women?"

Two. A short time before in the bloom of sixteen and eighteen years; delighting themselves with those bright pictures of life so beautifully sketched by a young maiden's fancy and hope and

[1] Strype's Parker, 265.

[2] Waddington's Penry, 251; Barrow to Fisher.

latent love. Prison life had left sad marks upon them. The bloom was gone, the smile, the bright eye, the buoyant step. They shuffled into the room, leaning on each other, but were guided from the entrance by the stronger of the men to rude benches against the wall, where each sank reclining. The air which crept in there, as if reluctantly, was first appropriated by villanous-looking men and abandoned women, who huddled before the grated window. The two or three who had supported the maidens to their rough oaken couches kneeled beside them, repeating some of the precious words of Christ. The young sufferers lay there, with dishevelled hair, pale, motionless except as they panted, yet with a peaceful look upon their features which indicated an inward ministration from a better world. A little muddy water was given them from a fragment of pottery, and tears and words of sympathy. The abandoned men and women were moved to pity, retreated from the window that a purer air might reach the sufferers, and gave them crumbs from their own scanty stores. Religious services, brief but fervent, were then conducted by Roger Rippon, who had opened his house in Southwark for the meetings of his brethren, and who, soon after the formation of the church in Nicholas Lane, had been arrested and committed[1] to Bridewell.[2]

The rattling of chains and the rolling of bolts announced the morning visit of a turnkey, and apprehension was visible upon every face, — the criminals excepted, — because it was Sunday morning.

[1] Waddington's Penry, 102. [2] Strype's Annals, VII. 130.

"Chapel!" shouted the man, as he threw open the door; and, advancing to the prisoners, he made a motion outward. The criminals obeyed without hesitation, but none of the others moved. "Now, you gospellers, get *you* gone!" Then, turning to the trembling maidens, — "Up, sluts! Odd zooks! in a swound?"

The fellow stood mute for a moment, gloating upon their slender forms and pallid faces with a grin of brutal pleasure. "Zounds! an my lord of Essex was me, and me was my lord of Essex — " But we let his words pass. Laying his rough hand gently upon the shoulder of one of them, he stooped. He had almost fouled her pure lips, when he was hurled away and lay at full length. In his place stood another of the turnkeys — a broad-chested, sinewy man — in the attitude of a protector to the helpless ones. He said nothing; but his face bespoke a world of wrath and resolute defiance. The ruffian gathered himself up, recovered his quarter-staff and turned upon his assailant. But when he saw who he was, and read his face, he contented himself with an oath, and with demanding sulkily a reason for such usage.

"Attend to your own business, Atkins! You were not sent here to insult weak women. They cannot go; they do not will to go; and they shall not go."

"Somebody shall, Will! for it be upon commandment."

"That *is* your business," with a tone and look of withering scorn. "I meddle not with my Lord Bishop's commandments. See you to them. But

sith he hath not commanded you to touch fainting maidens, I *will* meddle. My *name* is Will."

Atkins glared for a moment upon his fellow-turnkey, showing plainly that he would have wreaked upon him his vengeance, had he dared. But in default of courage, he turned his wrath upon the prisoners. "An the sheep will not *go* to pasture, we must drive them"; and, suiting the action to the word, he belabored them with his quarter-staff, until all were terribly bruised, and blood flowed from the faces of some of them.

"Brethren!" said Mr. Rippon, "stand fast in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage to ceremonials. What concord hath Christ with Belial!"

Yet a few of them yielded to the torture of blows, and, like the felons, went away to the prison chapel. Tired at last of his work, Atkins seized one of them by the hair, "Come along, Purdy! I 'll take you for an example. Go in there!" and he thrust him within a narrow door which he locked, and departed. The man called Will, — who had in many little ways befriended the Christian prisoners, particularly by allowing them clandestine worship,[1] — after a few words of commiseration, followed; and the bruised prisoners were left to themselves again.

"Brother!" said Mr. Rippon, stepping to the door within which Mr. Purdy was confined, "be of good courage. The sufferings of this present time be not worthy to compare with the glory that shall

[1] Waddington's Penry, 90, 104.

be revealed in us. As the sufferings of Christ abound in us, so our consolation aboundeth by Christ. Brother! the Lord bless thee and keep thee! The Lord make his face to shine upon thee and be gracious unto thee! The Lord lift up his countenance upon thee and give thee peace!"

A low moan from within was the only answer. But soon the poor victim began to groan bitterly. After an hour, his moans gave place to groans, and groans to piercing cries. Then came convulsive throes which shook and wrenched the door, until at last all was still.

Nearly another hour passed, when Atkins appeared with those whom he had driven to chapel, and who now bore the stinted rations for such as had means of payment. No pay, no food; except as it was doled to the penniless by their companions. Upon this occasion, though all were faint from hunger, none would touch a morsel. Atkins, with spicy profaneness, expressed his surprise. Mr. Rippon pointed to the closet; and, with some hesitation, the fellow opened the door. Out rolled poor Purdy upon the stone pavement; the jaw fallen, the eyes glaring and protruding, the face mottled, the hands clenched and every limb contracted. The jailer kicked him as he fell, and cursed him for dying there. But his brethren in bonds plied every means of restoration, till at length the poor man gasped, groaned, opened his eyes, and finally revived. What was done to him there, in that closet? Nothing. He was shut up, — that was all. That was "Little Ease"; a place of such strait dimensions, that the prisoner could neither stand, nor

sit, nor lie down,[1] — an ingenious contrivance to administer terrible torture without trouble to the torturer.

We do not suppose that this was the beginning of John Purdy's sufferings for conscience' sake. Certainly it was not the end of them. On another Sunday morning he lay senseless; his face puffed and discolored; his eyes swollen and closed; blood oozing from his mouth, his ears, his nostrils. His fellow-prisoners were clustered about him, and using all the simple means at their command for his restoration. Mr. Rippon, wiping the blood from his lips with a soiled rag, kissed the pale forehead of the sufferer. The kiss, the tears making the wounded face smart, roused the poor man, so that he sat up. He was then carried to a distant corner of the prison, where his straw lay. It was done with all possible gentleness, yet every touch and motion extorted from him some sign of pain, for he was sorely bruised from head to foot.

Mr. Rippon shook up the fetid straw, to make it less compact and to drive out the rats. Then they laid him down. But, though they did it as gently as possible, he could not suppress a piercing cry. It would not do to leave the helpless man there alone. River rats have a keen scent and a keen relish for bruised and bleeding flesh, and the ferocious creatures — Bridewell was upon the bank of the Thames — would have eaten him up

[1] Lingard, VIII. 440.

Dr. Lingard says: "The prisoner was compelled to draw himself into a squatting posture, and so remained during several days." Of the posture there is no doubt; but it may be questioned whether life could have been sustained in such a posture "during several days," if indeed during one.

alive. Some of the boldest of them were already looking at him hungrily from their holes in the wall. The brethren therefore were to watch with him by turns.

Atkins had been whipping Mr. Purdy for again refusing to attend religious service in the prison chapel. The whipping was "beating him with a great cudgel very extremely."

The poor man so far recovered as to creep about the prison again. But such treatment, together with stinted food, a damp bed, and noxious vapors, soon wrought their natural effect; and one cold morning he was found dead — *but not untouched or alone!* — upon his matted straw. He was "a very godly and honest person, and was committed by *the Archbishop*."[1]

This was not a solitary case. It is but a specimen of prison treatment under the rule of the High Court of Commission. Others also, and for the same reason, were subjected to the tortures of "Little Ease" and the cudgel.[2] "Some were cast in irons and dungeons,"[3] "laden with as many irons as they could bear,"[4] for not attending upon chapel worship.[5] One lad, only fifteen years of age, was kept in Newgate and in a dungeon "a whole year for this cause,"[6] — how much longer we do not know. "Six men, for hearing a piece of the New Testament read, were kept in the holes of these prisons more than three years and three

[1] Strype's Annals, VII. 130, 133. Brook, II. 39. Waddington's Penry, 250; Barrow to Fisher.
[2] Strype's Annals, VII. 133.
[3] Ibid., 128.
[4] Ibid., 133.
[5] Waddington's Penry, 250.
[6] Ibid., 250, 251.

months," without being called "to any trial or examination."[1] Some indeed were bailed forth to make their appearance at the Sessions;[2] and not a few, overcome by prison horrors and the sufferings of starving families, recanted their opinions, and were thereupon discharged.[3] But others sickened under hunger and cold, and filth and stench, and vermin and chains and tortures. Of these, some were sent away on handbarrows, and died within a day or two,[4] and some died in jail.[5] Then came "the infection," which smote down two of the aged widows arrested with Mr. Barrow and Mr. Greenwood in August, 1587.[6] In the single prison of Newgate, seventeen or eighteen had fallen victims before March, 1592–3.[7] Others died in other prisons, and some, as we have said, were thrust forth to die. The last death of which we have account was that of Roger Rippon. He had been removed from Bridewell to Newgate, where he fell a victim to the plague in January or February, 1592–3.[8]

Let us now look fairly in the face the question, How far were the High Commissioners respon-

[1] Waddington's Penry, 251.

[2] Strype's Annals, VII. 128. Waddington's Penry, 102.

[3] Waddington's Penry, 249; Barrow to Fisher.

[4] Waddington's MS.

[5] Waddington's Penry, 249.

[6] Strype's Annals, VII. 130.

[7] Hanbury, I. 89.

[8] Before the examination of Buc. in March; Strype's Annals, VII. 244. An inscription, in the following words, was prepared by his fellow-prisoners and placed upon his coffin. "This is the corpse of Roger Rippon, a servant of Christ, and her Majesty's faithful subject; who is the last of sixteen or seventeen which that great enemy of God, the Archbishop of Canterbury, with his High Commissioners, have murred in Newgate within these e years, manifestly for the testimony of Jesus Christ. His soul is now with the Lord; and his blood crieth for speedy vengeance against

sible for all these prison horrors? By their *sole* commandment, all ecclesiastical offenders, all whose opinions did not square with the standard of Lambeth Palace, and all suspected of latitudinarianism, were arrested and committed to prison. Their familiars were ever prowling about in search of those whom the Commissioners had secretly proscribed; so that they who were apprehensive of proscription had no hope of safety except by skulking from place to place.[1] By their connivance, if not by their command, midnight arrests were made even without warrant, midnight outrages were perpetrated upon weak and unoffending women and children, and midnight robberies were committed. In these things they usurped authority above all the public courts, judges, laws, and charters of the land;[2] and had been encouraged so to do by the servile judges, who had declared that all their proceedings were to be supposed legal. The pursuivants were their hirelings. The jails were under their control. The jailers and turnkeys were their creatures. The treatment for each prisoner was dictated at Lambeth Palace or London House. "Clap

that great enemy of the saints, and against Mr. Richard Young, who in this, and many like points, hath abused his power for the upholding of the Romish Antichrist, prelacy and priesthood." (Strype's Annals, VII. 186, 187.) The coffin bearing this inscription was carried through the streets by some of the brethren who were yet at liberty, and was presented before the door of Mr. Justice Young (Hanbury, I. 90); which occasioned new arrests and imprisonments. (Waddington's Penry, 103. Neal, I. 200.)

Richard Young was one of the High Commissioners. He was notorious for his hard proceedings against the Separatists, and for the severities which, through his orders, they experienced in prison. (Strype's Annals, VII. 188; Francis Johnson to Lord Burleigh.)

[1] Strype's Annals, VII. 134; Supplication of January, 1592–3.

[2] Strype's Annals, VII. 133.

him up close; let no man come at him!" was law to every prison official, whether from the lips of Whitgift or Aylmer. If any one was denied the visits of his friends, it was done by virtue of the warrant for his commitment.[1] If any one had release for a day on bonds of forty pounds, it was only by a grant from his Grace of Canterbury. If any one were precluded from such relief, it was because his Grace refused it.[2] When men were kept year after year "in the holes of these prisons," — "contrary to all law and equity," — debarred from any examination, "from all benefit and help of the laws, and from any lawful hearing before the magistrates," it was only because such was the will of the Archbishop of Canterbury or of the Bishop of London.[3] When men and boys were "cast into dungeons and laden with as many irons as they could bear," it was done by order of the Bishop of London or of Dr. Stanhope.[4] When by the torture of "Little Ease" men were wellnigh killed, or by that of the cudgel were beaten to a jelly, their keepers knew that forcing them to chapel was the will of the Commissioners, and did but employ those means of coercion with which they were furnished. The ecclesiastical judges knew that the prisons were charnels, and that their inmates were "dying like rotten sheep"; yet they would neither admit them to bail, nor bring them to be convicted or acquitted by her Majesty's laws. Instead of

[1] Strype's Annals, VII. 70; Cartwright to Lady Russel.

[2] Ibid., 66; Cartwright to Burleigh.

[3] Ibid., 134. Waddington's Penry, 251.

[4] Strype's Annals, VII. 128, 133. Waddington's Penry, 250, 251.

seeking thus to curtail their term of suffering, or even to meliorate their condition, — instead of seeking to check the havoc of squalor, disease, and mortality, — they labored only to conceal the number[1] and the fate of their victims. They would not suffer a coroner's inquest upon such as died on their hands, although required in such cases by law.[2] They feared the verdicts. In one instance, for fear of popular wrath, — perhaps tumult, — they required a corpse to be carried out of Newgate by stealth.[3] "The Archbishop sought by all strict and subtle means to suppress from the light his barbarous and lawless proceedings" of arrest, of commitment, and of prison treatment,[4] "warning his jailers to give up a favorable, if not partial, certificate of the prisoners living and dead"; and also sought, "through false informations and suggestions, to incense her Majesty against them."[5] Their humble supplications to the queen and her Council, and even their private letters stating their sufferings and wrongs, were intercepted and diverted; so that the prayers of the petitioners — considered a peculiar privilege of the poorest English subject[6] — were not heard.[7] Even the Master of Requests

[1] Waddington's Penry, 249; Barrow to Fisher.

[2] Strype's Annals, VII. 133; Supplication of January, 1592-3. Waddington's Penry, 250; Barrow to Fisher.

[3] Waddington's Penry, 250.

[4] Ibid., 248.

[5] Ibid., 249.

[6] Strype's Annals, VII. 70; Cartwright to Lady Russel.

[7] Ibid. Waddington's Penry, 248; Barrow to Fisher.

This very letter to Fisher, which I have so often cited, was intercepted. (Strype's Whitgift, 415.) Mr. Strype quotes from it; but discreetly omits all those passages — constituting by far the larger part of the letter — which tell of prison cruelties. In *this* was he "*honest* Mr. Strype"?

was Whitgift's creature; and made it "his *custom* to suppress all such complaints from her Highness's eyes." One, however, escaped his vigilance, was "delivered to her Majesty, and *graciously received.*"[1] But its effect seems to have been neutralized by the Archbishop's "false informations and suggestions," evidence of which was furnished by Mr. Barrow.[2] The Commissioners even went further. Not being able "by order of law to convict the prisoners of any crime deserving bands,"[3] "not having or knowing any matter to lay to their charge,"[4] they "suborned" emissaries, under pretence of charitable Christian conference, "*to inveigle them with certain subtle questions to bring their lives into danger*" under some particular statute.[5]

Upon reading Archbishop Whitgift's twenty-four Articles for the examination of ministers *ex officio*

[1] Waddington's Penry, 248; Barrow to Fisher.

[2] Ibid.

[3] Strype's Annals, VII. 136; Supplication of January, 1592–3.

[4] Ibid., 134.

[5] Ibid. Brook, II. 39. Waddington's Papers; Barrow to the Right Honorable Lady ——. This letter should be the more trusted, because written in daily expectation of death.

"The Bishop of London, by order of the Archbishop and with advice of both Chief Justices, ordered" certain preachers in London "to confer with sectaries which had forsaken the Church and were in prison for the same; 'for it is intended,' wrote the Bishop, 'if by persuasion they will not be reduced to conform, to proceed with all according to the course of *common law.* Wherefore we require you, that twice a week at least you repair to them and seek by all learned and discreet demeanor to reduce them from their errors; and for that either their conformity or disobedience *may be made manifest when they shall come unto their trial*, therefore we require you to set down in writing . . . . your censure what it is of them, as that, *if occasion do serve to use it*, you will be sworn unto.'" (Waddington's MS.; and Life of Penry, 106.) This is a sufficient confirmation of what I have quoted from Barrow in the text.

Dr. Waddington gives some interesting specimens of these conferences, which I hope may meet the reader's eye when his book is published.

mero, Lord Burleigh had said, "I think the Inquisitors of Spain use not so many questions to comprehend and trap their preys."[1] Yet these questions gave but a faint outline of the resemblance between the High Court of Commission in England and the Holy Inquisition in Spain. The outline, we think we have filled up truthfully. And in their usurpation of power; in their contempt of all civil tribunals, laws, and charters; in their control of the courts; in their illegal and midnight arrests; in their slow torture by long imprisonments, by chains, by starvation, by poisonous air; in their more direct torture by the "Little Ease," the cudgel, and the dungeon; and in the measures which they coolly adopted to bring their victims to recantation or to death, — we think we have shown a more exact resemblance of the Commissioners of England to the Inquisitors of Spain, than Lord Burleigh dreamed of, probably a more exact resemblance than he ever discovered. The only difference between the two tribunals seems to have been, that the minions of Whitgift used the tortures which we have described in lieu of the more expeditious tortures of the rack and the gridiron elected by the creatures of Torquemada; that the latter hasted the catastrophe of death, while the former crept towards it; that in Spain they despatched recusants by fire; in England, by starvation, the plague, or the gibbet. In either case, how far did the ecclesiastical judges fall short of murder?

[1] *Ante,* Vol. II. p. 421.

CHAPTER XV.

EXECUTIONS.

Christian Convicts led out of Prison for Execution. — Reprieved. — Books published by Barrow and Greenwood while in Prison. — They and their Assistants indicted for the same, convicted, and sentenced to immediate Execution. — A Conference with Barrow and Greenwood "for their Souls' Health" and for their Recantation. — The Sentence of their Associates commuted. — Barrow and Greenwood taken to the Gallows. — Their Addresses to the People. — A second Reprieve. — Rejoicings of the People. — Taken again to Tyburn and executed. — The secret History of their Reprieves and Execution. — John Penry and his Family at Stepney. — His Arrest there. — His History while in Scotland. — His private Notes of what he heard there. — His Papers seized. — Himself imprisoned. — His Letters to his Wife and Children. — His Examination. — His Memorial to the Government. — His Declaration against Prosecution for his Books. — Is indicted, convicted, and sentenced to Death for private Writings. — His Execution. — Elizabethan Juries. — Penry's Steadfastness. — His Farewell Letters to the Church, to his Wife, to his Children. — The Relation of the Queen to these Executions; and of the Bishops.

1592–3.

On the 24th of March, 1592–3, a heavy fog mantled the city of London, beneath which the few who were astir crept through cheerless light and chilling air, although the sun full half an hour before had shed a flood of glory over the German Sea. A few shivering creatures were gliding along near Newgate; here a man, there a woman, now a child, half clad in damp and filthy rags, and there a lean and mangy cur, — all grubbing or scenting the gutters for a chance morsel

of offal, and all wearing a look of ineffable woe. The very house-walls looked miserable, — the fog trickling along their faces and dripping from their eaves. A man in charge of a rude cart and a sorry horse, before the gate of the prison, and wrapped in a heavy overcoat of frieze, — a half-naked lad crouched in the corner of a wall, and gnawing at a bone which he had just won by stout battle from a dog, — were the only living things in sight which did not give signs of suffering.

Within the prison the morning light was scarce perceptible. A few flambeaux, supported by brackets, shed along the corridor a flickering glare, which was reflected strongly, and to the unfamiliar eye rather unpleasantly, from the steel weapons which studded the walls. On either side were a row of stout halberdiers, in full service dress, under command of a yeoman of the guard, attended by a sheriff's deputy. Soon after this arrangement had been made, the clang of massive doors and rolling bolts was heard from above, and then the heavy tread of men and the rattling of chains along the stairway. The head jailer then appeared, with a few of his servitors, and advanced to the sheriff with five prisoners, who were shivering with cold and in irons. They were then delivered to the sheriff one by one, — Henry Barrow, John Greenwood, Scipio Bellot, Robert Bowle, and Daniel Studley, to be led forth to execution, — and were immediately conducted, under guard, through a grated door to the anteroom, where hung a profusion of manacles and fetters, iron collars and chains. A smith now applied himself to the work of unriveting their bands.

By their gaunt and furrowed faces and their gray hairs, Mr. Barrow and Mr. Greenwood betrayed "the cruel usage which, *at the commandment of the prelates*," they had endured "wellnigh six years,"[1] "in most miserable and strait imprisonment."[2] The others were comparatively hale, having been confined but a short time; and all appeared composed, and even cheerful, with the single exception of Mr. Bellot, who seemed overcome with terror in view of his approaching fate. When at length they were all freed from their irons, they mutely embraced, and were then conducted by their armed escort without the gate, where the cart was in waiting to convey them to the gallows. The driver produced ropes, and was proceeding to bind his living freight to his vehicle, when an officer appeared, and presented a paper to the sheriff, who broke the seal, glanced over the writing, turned to his prisoners, and said, with much respect and evident emotion, "Sirs! by her Majesty's most gracious order you are reprieved!"[3] They were then led back and recommitted to ward.

About two years after the last commitment of Mr. Barrow and Mr. Greenwood, — i. e. about the year 1590, — their religious opinions had been publicly assailed and misrepresented;[4] particularly by Mr. Gifford, minister at Malden, who, though a Conformist, had been twice suspended and twice imprisoned for his Puritanism.[5] They had also been openly

[1] Hanbury, I. 48, and Waddington's Papers; Barrow to an "Honorable Lady and Countess of his kindred," April, 1593.

[2] Hanbury, I. 59.

[3] Barrow to the Countess ——.

[4] Brook, II. 40.

[5] Ibid., 274, 275. Strype's Ayl-

defamed from the pulpit, by "sparsed libels," and mayhap "by false report and witness made against them in those conferences" — insidious[1] — to which we have alluded, and which had been ordered by the prelates. "No trial, all this while, upon any suit or complaint had been granted them; either civil, that they might know for what cause and by what law they thus suffered," a privilege "not denied the most horrible malefactors and offenders; or ecclesiastical, where freedom might be given them to declare and plead their own cause."[2] They had therefore resorted to the only means left for "pleading their own cause," — the press.

Although denied ink and paper, diligently watched by their keepers, and continually searched upon various pretences, they had contrived stealthily to obtain scant materials for writing from Mrs. Greenwood, from her maid-servant Cicely, and from others who brought them food. Upon scraps of paper thus obtained, they had been able to write replies to the aspersions uttered against them; and, though often rifled of some things which they had written, had sent them forth piecemeal by the same agents — crude and without revision — to be published by a faithful friend in Holland.[3] For these books — in which they had indeed written freely against the bishops and the established Church, but which contained "matters merely ecclesiastical" — "the prelates had caused them to be indicted" upon the

mer, 109–112. Hanbury, I. 49, 52.

[1] Barrow to the Countess ——.

[2] Hanbury, I. 52; Barrow to Burleigh.

[3] Ibid., 52, 53. "Egerton Papers," 171, 172 (by the Camden Society, 4to, London, 1840). Waddington's MS. Strype's Whitgift, 416.

Statute 23 Elizabeth; the indictment setting forth that the said books were seditious, tending to the slander of the queen and State;[1] or, in other words, "tended to cry down the Church of England, and to lessen the queen's prerogative in matters spiritual."[2] After preliminary examinations, when they unhesitatingly avowed themselves the authors of the books in question,[3] they had been arraigned on the 21st of March, 1592–3.[4] At the same time were arraigned Scipio Bellot, gentleman; Daniel Studley, girdler; and Robert Bowle, fishmonger, — who were indicted under the same Statute for publishing and dispersing the books devised by Barrow and Greenwood.[5]

More than two years before, Mr. Barrow had expressed the opinion — and the result proved his accuracy — that "the Archbishop had *destined* himself and Mr. Greenwood to death."[6] For this opinion there was a reason. In the case of Udal, (and soon after in the case of Cawdrey,) the secular

[1] Barrow to the Countess ——. Stow, 765. Heylin's Presb., Book IX. Sec. 29. Brook, II. 41. Neal, I. 202.

[2] Egerton Papers, 166.

[3] Ibid., 170 – 178.

[4] Stow, 765. Heylin's Presb., Book IX. Sec. 29.

[5] Waddington's MS.; Attorney-General Egerton to the Lord Keeper Puckering. Stow, 765.

Collier says (VII. 167) that these men were committed with Barrow and Greenwood, in the year 1588. So also says Heylin (Book IX. Sec. 28). But Studley was not arrested until after December 4th, 1592 (Strype's Annals, VII. 134, and Waddington's Penry, 105, 106, compared); Bowle not until March 4th, 1592–3 (Egerton Papers, 173); and Bellot not until just before the trial. (Compare the date of the trial with Waddington's Penry, 121, 122.) One Robert Stokes was also apprehended as their accomplice; but he had been first excommunicated for apostasy, by the church of which Mr. Johnson was pastor. (Egerton Papers, 173 – 175, 179. Brook, II. 47.) To his apostasy he seems to have been indebted for his escape from prosecution, and perhaps from death.

[6] Waddington's Penry, 251; Barrow to Fisher.

courts had unblushingly sold themselves to the ecclesiastical; and thus these two branches of the government were hand and glove. The will of the latter was the rule of the former. Consequently, when "the prelates, by their vehement suggestions and accusations, had caused"[1] these men to be put upon trial for their lives, — had signified their will, — conviction was sure. The judges had already decided that a word against a bishop was a word against the queen. To convict the prisoners, it only remained for the queen's attorney to show — whether by direct citation or by a strained construction mattered not — that they had written this or that, or had intimated this or that, against the spiritual officers of the crown, or against the queen herself. Under these circumstances, a verdict of "Guilty" had been quickly rendered.[2] Two days afterwards — March 23d, 1592–3 — the sentence of the Court had been pronounced against them, "and direction given for execution to be done on the morrow."[3] Mr. Bellot, overwhelmed by a sense of his condition, had burst into tears, declared his great grief that he should have been misled, and begged a private conference that he might be reformed of his errors. The others had behaved with great composure, and with unflinching fidelity to their opinions previously avowed, defending their published writings, making

[1] Barrow to the Countess ——.

[2] The only account of this trial which I find, is in Barrow's letter to the unknown Countess, his kinswoman. In this letter he states the several counts in his indictment, and his answers to them. I refrain even from an abstract; partly because, if my memory does not deceive me, the entire letter is in what I have designated as Waddington's MS.

[3] Waddington's MS.; Egerton to Puckering. Stow, 765. Heylin's Presb., Book IX. Sec. 29. Hanbury, I. 48.

no signs of submission or retraction, and no prayer for mercy, at the same time and solemnly declaring their whole-hearted loyalty to her Majesty and their obedience to her laws.[1] Immediately after their removal from the bar to prison, the Attorney-General had informed the Lord Keeper Puckering of the order for their execution on the next day, "that, if her Majesty's pleasure should be to have it deferred,..... order might be given accordingly."[2] As we have stated, such an order was received just as the convicts were commencing their journey to the gallows.

Two days after this, — March 26th, 1593,[3] — the bishops sent certain doctors and deans to confer with them and to exhort them, — particularly Mr. Barrow and Mr. Greenwood,[4] — "for their souls' health,"[5] "to recant their errors, otherwise as dangerous to their souls as they had proved unto their bodies."[6]

[1] Strype's Whitgift, 414, 415; Egerton to Puckering.

[2] Waddington's MS.

[3] Strype's Whitgift, 415.

[4] Barrow to the Countess ——.

[5] Paule's Whitgift, Sec. 74.

[6] Heylin's Presb., Book IX. Sec. 80.

The bishops, "for the deeper humiliation" (Waddington's Penry, 107) of the Puritan clergy who were under censure, had sometimes employed them to confer with the imprisoned Separatists and to labor for their conversion. For this purpose they had charged Mr. Stephen Egerton, at the time under suspension, to deal with Barrow and Greenwood (Brook, II. 289); also Mr. Cartwright, then in prison, who, after one conference, refused to meet them again. (Paule's Whitgift, Sec. 73.) I give Heylin's account of affairs between these prisoners and Mr. Cartwright. "Being their fellow-prisoner, he had a conference with them, the rather in regard it had been reported from Barrow's mouth, that he had neither acted nor written anything but what he was warranted to do by Cartwright's principles. The conference was private, and the result thereof not known to many, but left to be conjectured from the following story. The Reverend Whitgift had a great desire to save these men from that destruction in which

In the evening, Egerton, one of the delegation, wrote again to the Lord Keeper Puckering: "I have spent this whole afternoon at a fruitless, idle conference, and am but now returned, both weary and weak."[1] Four days more were passed by these men in prison and in chains, during which time Studley, Bellot, and Bowle — being considered "offenders of a more pardonable degree — were respited";[2] or, more properly, received a commutation of their sentence, — imprisonment during the queen's pleasure, instead of hanging.

On the last day of the month, Mr. Barrow and Mr. Greenwood stood in a cart beneath the gallows at Tyburn. The executioner adjusted the ropes about their necks. Although they had been brought thither "very early and secretly," the news had spread swiftly, and a large crowd had assembled to see them die. Never had Mr. Bar-

they had involved themselves by their own perverseness; and to that end sends Dr. Thomas Ravis .... to confer with Barrow, at whose request, and some directions from the Archbishop in pursuance of it, Cartwright is dealt with to proceed to another conference. But no persuasions would prevail with him for a second meeting. Which being signified to Barrow, ... the poor man fetched a great sigh, saying, 'Shall I be thus forsaken by him? Was it not he that brought me first into these briers, and will he now leave me in the same? Was it not from him alone that I took my grounds? Or did I not, out of such premises as he pleased to give me, infer those propositions, and deduce those conclusions, for which I am now kept in bonds?' Which said, the company departed." (Heylin's Presb., Book IX. Sec. 29.)

It will be observed that Heylin himself calls this a "story." I receive it as such, in the sense of a *fiction;* because so inconsistent with Barrow's stern, manly independence. Pierce says, very temperately (p. 147), "This story, though related by some writers, is not very probable." Dr. Taylor ventures to say (II. 87), — but upon what grounds he does not inform us, — "Cartwright was at least consenting unto *the death* of Barrow and Greenwood."

[1] Strype's Whitgift, 415. Waddington's MS.

[2] Ibid.

row's towering form seemed more imposing than when, his inward eye opened to the grand realities of another world, he turned to take his leave of the crowd, now hush as death.

"We are about to die. We are about to appear before that Judge who knoweth and searcheth the heart. With his eye upon us and his judgment just before us, we speak in all soberness and honesty. First of all, we protest our loyalty and innocence towards her Majesty, our nobles, governors, magistrates, and this whole State. We further protest, that in our writings we have had no malicious or evil intent, so much as in thought, either towards those to whom we owe honor or towards any person in the world. And we exhort you all, and all others, no further to receive anything written by us than there be found sound proof of the same in the Holy Scriptures. Whereinever we have, through zeal, or unadvisedly, let fall any word or sentence that hath moved offence or carried any show of irreverence, we be heartily sorry, and do humbly beseech pardon of them so offended for the same. To you here present, we give our parting word of exhortation. Obey and heartily love your prince and magistrates. Lay down your lives for their defence against all their adversaries; yea, at their hands meekly and patiently receive death, or any punishment they shall inflict, whether justly or unjustly. We exhort you unto orderly, quiet, and peaceable walking within the limits of your callings. We exhort you also unto the holy fear and true worship of God. For ourselves, it remaineth only to declare, that we do

freely and truly forgive every one in the world who hath wronged us, and do beseech Almighty God that his rich blessing may rest upon her Majesty, upon her magistrates, upon all her people, even upon our adversaries."[1]

Such is a scant and unsatisfactory outline of his address, the only record of it which we have, and given by Mr. Barrow's own pen.

Mr. Greenwood then addressed the people in the same general strain. Then, clasping his hands upon his breast, he commenced an appeal to God in behalf of her most gracious Majesty Queen Elizabeth, her Councillors, and her realm. In the midst of this fervent prayer, when the tears and sobs of the multitude were testifying their sympathy, a shout was heard from the extremity of the crowd. In the twinkling of an eye, it swelled onward to the foot of the gallows,—"Reprieve! Reprieve!" The multitude reeled for joy. Every hat, cap, and kerchief was waved aloft, as a courier spurred his horse onward, himself waving his hand and shouting, "Reprieve!" When he had delivered his missive to the sheriff, and the certainty of the fact became evident by the removal of the ropes from the necks of the prisoners, there went up from the people another shout,—"God save the queen! Long live Queen Elizabeth!" But, at a few signs from Mr. Greenwood, the noise of joy was hushed.

"Amen and amen!" said he. "And now, O most gracious Father, King of kings, who holdest the hearts of princes in thine own hands, what shall we render unto thee for thy most signal mercy

[1] Barrow to the Countess ——.

unto this realm, in bestowing upon us a queen who doth plentifully daily imitate thee in mercy!" Thus he proceeded, concluding the prayer for her Majesty which had been so signally interrupted. The people listened with fitting devoutness; but the moment he had concluded, their joyous acclamations again burst forth; and, as the prisoners were taken back, "from the by-ways, from the streets, from the houses," all along, "the people greeted them with exceeding rejoicing and applause" until they re-entered the walls of Newgate.[1]

On the sixth day of April, they were again taken to Tyburn, and there executed, "early in the morning."[2] We have no reliable testimony respecting the particulars of their deaths, excepting that "they made a very godly end, and prayed for her Majesty and the State."[3] "Tyburn itself never witnessed a more wicked execution, or one more senseless and impolitic."[4]

We are fortunately enabled to peep behind the curtain of State, and thus to throw some light upon the reprieves of these men, and also upon the immediate cause of their execution. The suggestion of the Attorney-General, that it might be

[1] Barrow to the Countess ——. Stow, 765. Heylin's Presb., Book IX. Sec. 30.

[2] Waddington's Papers; Tho: Phelipps to William Sterrell, April 7th, 1593, from the State Paper Office. Hanbury says (I. 49), "the sixth day of *May*." But the date which I have given is sustained, not only by this letter of Phelipps, but by Stow, 765; Rapin, II. 141, note 6 (who erroneously says that Studley and two others suffered on the same day); Heylin's Presb., Book IX. Sec. 30; Neal, I. 202; and Brook, II. 42.

[3] Neal, I. 202. Brook II. 42. Hanbury, I. 62.

[4] Marsden, 148.

her Majesty's pleasure, was doubtless the cause of their first reprieve; otherwise, as was usual in such cases, death would have been inflicted the day after their sentence.[1] But their second reprieve was solely owing to the intervention and influence of the Lord Treasurer, who "would never screw up the law to the pitch of cruelty,"[2] even against one whom he had called "a fantastical fellow." He had seasonably received a supplication, complaining that, in a land where no Papist was touched *for religion by death*, the blood of these men, whose faith concurred with that professed in the realm, should be shed for their differences upon matters merely ecclesiastical, and urging that they should have the benefit of such a conference as might be for their better instruction, or at least might be a means of truthfully making public their opinions.[3] This Paper was made known by the Lord Treasurer to the Archbishop of Canterbury, and the Bishop of Worcester, and its reasonableness urged. But they were "peremptory" against all means of reconciliation and all means of mercy. Whereupon his lordship "gave them some round taxing words, and used some speech to the queen." But seeing the unyielding spirit of the bishops,

[1] "They are all attainted by verdict and judgment, and direction given for execution to be done *to-morrow, as in case of like quality.*" (Waddington's MS.; Egerton to Puckering.)

[2] Lloyd, 477.

[3] Phelipps to Sterrell.

Dr. Waddington (MS.) expresses the opinion that this remonstrance and proposition came from Mr. Barrow himself. It may have been so. But the letter of Barrow which he quotes here, and also in his "Life of Penry" (263, note), lacks the comparison, stated by Phelipps, between the treatment bestowed upon Papists and that which was impending in this particular case.

and not being seconded by others in his endeavors to withstand them, — for "the Archbishop's little finger moved powerfully"[1] at the Council board in all affairs ecclesiastical, — he was disgusted; and thenceforth, as it was thought, became remiss in all like intercessions. In this instance, however, he so far prevailed with her Majesty as to secure her reprieve just in time to save the lives of the two clerk convicts.[2] We must therefore dissent from those writers who assume that they were first sent to the gallows merely to terrify them into submission and to overawe their disciples.[3]

We turn another leaf in the secret history of this affair. Parliament was now in session. The prelates, aware that the construction put by the judges upon the Act 23 Elizabeth was regarded as an insult to common sense, projected a law which should expressly enjoin the penalty of death upon all ecclesiastical dissentients. They had introduced to the Parliament a bill "making it *felony* to maintain *any opinions* against the ecclesiastical government"; and had succeeded in carrying it through the upper House. But the Commons had demurred upon it; perceiving that it was so framed as to "draw all the Puritans within the compass thereof." When this became known out of doors, orders had been instantly given, and carried into effect, for the execution of Mr. Barrow and Mr. Greenwood; upon which "it was openly said that their execution proceeded *of malice of the bishops to spite*

[1] Heylin's Presb., Book IX. Sec. 33. Fuller, Book IX. p. 218.

[2] Neal, I. 202. Brook, II. 42. Marsden, 148.

[3] Phelipps to Sterrell.

the nether House. This procured them much hatred of the common people, who were inclined that way," — to Separation.[1]

It is stated on the best of contemporaneous authority, that "though Barrow and his fellow Greenwood were condemned for disturbance of the State, this would have been pardoned . . . . . if they would have promised to come to church. But to join in the communion of a Church that believed errone-

[1] Phelipps to Sterrell.

The bill was strongly opposed in the lower House, and referred to a committee, on Wednesday, the fourth day of April. (D'Ewes, 517.) The order from Council for execution must have been given on the next day. It was carried into effect, as I have stated, "early in the morning" of the day after, Friday.

For obvious reasons, I have paraphrased in the text the chief parts of Phelipp's letter to Sterrell. That the reader may judge of my accuracy or inaccuracy, I transcribe it *verbatim et literatim*, as I find it in Dr. Waddington's *Papers*.

"State Paper Office, Domestic, 7 April, 1593. — The Parliament is to ende this weke. The bill preferred in the upper house agaynst the Catholiks which you mentioned in your last is past both houses with some amendment, the poynt is y^t^ they are tyed to remayne at theyr dwellings if they do * to be banished the realms. The other bill past in the nether house was thought so extreme as it is supprest.

"There was a bill preferred agaynst the Barrowists or Brownists making it felonye to mayntain any opinions agaynst the Eccleshiastiacall Government which by the Bishopp's means did passe the upper house, but was found so captious by the nether house as it was thought wold never have past in any sort for y^t^ it was thought all the Puritanes wold have bene drawne w^thin^ the compasse thereof. Yett by the earnest laboring of those sought to satisfy the Bishopes humors it is past to this effect y^t^ whosoever shal be an obstinate recusant refusing to come to any churche and do deny the Queen to have any power or authoritye in Ecclesiasticall causes, and do by writing or other wise publish the same and be a keper of conventicles also, being convicted he shall abjure the realm w^thin^ three monthes, and loose all his goodes and landes, if he return w^thout^ leave it shall be felonye. Thus have they minced it as is thought so as it will not reache to any man y^t^ shall deserve favor in a concurrence of so many faltes and actions. The weke before uppon the late conventicle you wrote of last Barrow and Goodman" — Greenwood — "w^th^ some others

* *Sic.* The word "not" is wanting.

ously that our Lord's soul went to hell, — thus making the Gospel, which says he went to heaven, a lie, — they utterly refused to do."[1] This testimony cannot be questioned. But it shows clearly, that, although these men *were* "prosecuted in the temporal courts and by Statutes of Parliament,"[2] their real offence was ecclesiastical. It shows that they were hung, — like Thacker and Copping, and under the same Statute,[3] — ostensibly as felons for sedition,

were indited, arrayned, and condemned upon the statute of writing and publishing seditious bokes and shold have bene executed, but as they were redy to be trussed up were reprieved, but the day after the Court House" — Parliament, or lower House — "had shewed theyr dislike of this bill were early in the morning hanged. It is said their reprivall proceded of a supplication made to the Lo. Tresorer complaynning that in a land where no papist was touched for relligion by death theyr blood (concurring in opinion touching fayth wth that was professed in the realme) shold be first shedd. Desiring therefore conference to be removed from theyr errors by reason or else fr satisfaction of the world touching theyr opinions, wch was communicated by him to the Archbishop of Canterbury who notwthstanding was very peremptory so as the Lo. Tr. gave him and the B. of Worcester some round taxing words and used some speache to the Queen but was not seconded by any wch hath made him remisse as is thought. It is playnly sayd yt theyr execution proceding of malice of the Bishoppes to spite the nether house wch hath procured them much hatred among the common people affected y way. . . . .

"Your assured Friend,

"Tho: Phelipps.

"To my loving friend, Mr. William Sterrell."

[1] Hugh Broughton; Strype's Whitgift, 415.

Broughton was doubtless correct in giving this as *a* reason for their persistent separation from the State Church. It was the only one which he, in his controversy with Dr. Bancroft respecting the Article in the Creed which expresses this doctrine, had occasion to state. But the Separatists certainly had other reasons; the chief of which commanded the respect and assent of the Presbyterian Puritans, and which cannot better be expressed than by Mr. Greenwood's own words in his prison conference with Mr. Hutchinson. "*All the people*, by the blowing of her Majesty's trumpet at her coronation, were in one day received" — into the State Church — "without conversion of life by faith and repentance; and they and their children generally received to your sacraments without separation from the world." (Waddington's MS.)

[2] Strype's Whitgift, 415.

[3] *Ante*, Vol. II. p. 321.

but really as Brownists, for their religion. The pretence was transparent. While the ecclesiastical and the secular judges fancied that — by these proceedings at law — they were throwing dust in the eyes of the people, they were but blinding their own. While they fancied that they were strengthening their power, they were really sapping its foundations.

We have only to add to this narrative, that, by the commutation of their sentence, Bellot, Bowle, and Studley were subjected to a more mournful fate than that of their principals. "Studley, after four years' imprisonment, was banished from the country; and Bellot and Bowle, not long after, died in prison," "from want, and fetid atmosphere."[1]

Stepney was an extensive out-parish of London, about three miles eastward, on the banks of the little river Lea, a tributary of the Thames. Three hundred years ago, its population was scattered, and most of the dwellings there were surrounded by pleasant and ample grounds; some of which were occupied solely for the comfort of the inmates, but most of them were cultivated by the owners or tenants for the supply of the city market. Just after noon of the 21st of March, 1592–3, — a day remarkable for its sunny warmth, — in one of the gardens there, was a young mother in happy charge of four children, all daughters;[2] — two of whom were tripping here and there; one creeping upon the greensward at her feet; another reclin-

[1] Brook II. 41. Waddington's MS.

[2] Waddington's Penry, 136–145 from Yelverton MS.

ing quietly in her lap. The eldest, not yet four years old,[1] had rambled behind a hawthorn which screened the garden gate. A few minutes had elapsed when the child reappeared, uttering a cry of delight, and pulling along by the hand a stranger, who paused as he found himself suddenly in the presence of the young mother. Bowing respectfully, and even diffidently, as he encountered her look of surprise and inquiry, he apologized for his intrusion by saying that he had formed a sudden acquaintance with her child at the gate, an acquaintance which had ripened into a mutual attachment of two minutes' duration, and that he had thus been *drawn* — pointing to the little hand which held his own — unwittingly to encroach upon her privacy. The stranger wore the sober dress of a grave but thriving citizen; and his slightly gray hair — for he had uncovered as he spoke — showed that he had passed the meridian of life. The expression of his face was kindly but sad. Yet a scrutinizing eye would have seen there — what the young mother did not — a lurking line of cunning. He concluded by saying, "Prithee, madam, let my excuses suffice; the more that I have been enticed by so fair a tempter"; laying his hand upon the head of his little guide.

"A mother, sir, is slow to take offence at what her child hath brought to pass."

He made a courteous sign of acknowledgment, and hinted, in a subdued and tremulous tone, that he had been bereaved of children. "But," he added,

[1] Strype's Whitgift, Appendix, p. 180. Waddington's Penry, 132, 139.

"by mine own sorrows I am the better fitted to console others with discourse of a better world."

"You cannot lack employment," responded the mother, "for sure there be many nowadays who need such consolation."

The stranger caught at her words, and soon frankly avowed that his sympathies were with those who lay in the prisons of London for conscience' sake; that he was constantly laboring for their relief; and, particularly, that he had but yesterday returned from the city, baffled in an attempt to get access to Mr. Barrow and Mr. Greenwood, who were *this* day on trial for their lives. A short dialogue followed this avowal, during which the eldest child was sent away by her mother, and disappeared within the door of the cottage at the farther end of the garden. Soon after she reappeared, carried in the arms of her father.

"This is my husband, sir," said the mother as he drew near. Then, addressing her husband, she said, "Here is a stranger, John, who doth visit our brethren, our mothers and our sisters in prison. Give him greeting. Mayhap you would confer with him to their better condition."

As the husband advanced, — a man apparently of about thirty years of age, — the stranger announced himself as Robert Staunton, a citizen of London; and explained in a few words, replete with courtesy, the accidental occasion of his presence. He was met at first with an air of shyness which seemed to disturb him. But a few words expressing his personal acquaintance with the imprisoned Separatists, and his deep interest in their

welfare, were sufficient to inspire confidence. A long conversation ensued, during which Mr. Staunton spoke of the anxiety of some of the brethren for Mr. Penry, who had narrowly escaped arrest when the assembly was seized at Islington. "Mr. Barrow especially," said he, "wishes to open communication with him, but knows not where to find him."

"How could you get this word from him, or how could Penry communicate with him?"

"Through Mistress Greenwood and her maid Cicely messages have passed between us, and will still pass."

"Will you bring me to see Mistress Greenwood or her maid? I have sought for them in vain."

"These are times when men must be cautious."

"You are a stranger, sir. Yet, on the faith of your familiar acquaintance with those imprisoned for Christ's sake, I will dare to say that I am John ap Henry."

Mr. Staunton was rejoiced at his discovery; and now confessed that he had been sent by some of the brethren in search of Mr. Penry, and congratulated himself in words upon the accident which had so strangely thrown him in his way. Then, promising to return on the morrow morning to guide Mr. Penry to Mistress Greenwood, he courteously took his leave.

On the morrow, faithful to his word, he appeared; chatted awhile in a most Christian-like way with Mr. Penry and his wife in their little parlor, which was also his study; passed with him through the garden gate; quickly slipped him into the custody of men

who stood there in waiting; announced that Mr Staunton was Watson, a pursuivant of his lord's Grace of Canterbury; and blandly informed him that, while he was on his way to prison, he (Watson) would search his study and console his wife.[1] This arrest had been effected by means of the vicar of the parish, who had furnished "some information" which served as a clew to Mr. Penry's retreat.[2]

During his residence in Scotland the young Welshman had occupied himself in theological study[3] and in preaching the Word, "being thereunto desired earnestly and called by the order of that Church."[4] He had left behind him the royal ban of England. He had also been honored with another in Scotland. King James — probably[5] at the request of his "loving sister and cousin, Elizabeth R." — had ordered "open proclamation to be made at the principal market-crosses of the realm, and other places needful, that John Penry, Englishman, should depart the realm within ten days after being charged thereto, and that he should in no wise return, under the pain of death; also charging his Highness's subjects,

[1] Whitgift and others are charged with an indecent haste, in the conduct of this affair, of which they were not guilty. Neal says that Mr. Penry was apprehended in the month of *May*. But on the sixth day of *April* Penry wrote to his wife from prison; in which letter he speaks of having been arrested on the 22d of *March* (Waddington's Penry, 122, 127); and we find from another source, that on the 10th of *April* he was under examination. (Harleian Misc., IV. 340.) The mistake of Mr. Neal probably arose from a hasty reading of Strype's Whitgift, p. 409, where the meaning is simply, that Mr. Penry, after having been arrested, "was committed close prisoner"; and that "in May he was arraigned," &c.

[2] Strype's Whitgift, 409. Heylin's Presb., Book IX. Sec. 31. Waddington's Penry, 121.

[3] Strype's Whitgift, 414.

[4] Harleian Misc., IV. 343.

[5] Waddington's Penry, 59.

of what estate, degree, or quality soever, that none should take upon hand — the said space being by-past — to intercommune with the said John Penry, or furnish meat, drink, house, or harbor, under whatsoever color or pretence, under said pain of death."[1]

But the clergy of Scotland shielded the refugee, and "everywhere staid the proclaiming" of the royal order;[2] so that he had remained within the kingdom two full years longer and unmolested. He had returned to London in the month of September, 1592,[3] for a purpose which we are about to state; had associated himself with the Independent congregations; had preached to them; and was present with those who had been arrested at Islington.[4] But, as he was yet liable to arrest by virtue of the former decree of the Council, he had found it necessary to conceal himself and to govern his movements by the utmost caution.

While in Scotland he had "heard not a few words spoken against Queen Elizabeth, as though she *labored to stifle the Gospel* in her dominions."[5] He had heard them from all classes, — gentry, clergy, commonalty;[6] to which he had uniformly replied, that in his very conscience he believed that "the Gospel was as much beholden unto her Majesty as unto *all* princes in Europe beside,"[7] whereby "he had

[1] "Apud Edinburgh sexto die mensis Augusti anno Domini millesimo quingentesimo nonagesimo." Waddington's Papers, from the State Paper Office, Scotland, 1590, July to December, Vol. 46, No. 26. Indorsed, "6 Aug., 1590, Ag. Pēry."

[2] Waddington's Penry, 59; from Baker's MSS., Vol. XVI.

[3] Waddington's Penry, 84.

[4] Strype's Annals, VII. 244, 248. Hanbury, I. 85. Waddington's Penry, 92, 94, 120, 125.

[5] Strype's Whitgift, 409.

[6] Ibid., Appendix, p. 177; Penry's Protestation.

[7] Ibid., p. 178.

brought many of them, in those parts, to a better opinion of her."[1] While yet in Scotland, he had also noted these hard speeches upon paper; jotting them down without method, that he "might upon better leisure consider them."[2] These memoranda, although thrown roughly into the form of an Address to her Majesty, were merely memoranda of *other people's* notions; which was made evident, not only by his solemn declaration, but by his own most secret diary, afterwards in the hands of his prosecutors. For the most part this Address was "expressed in the very, or like, words which had been objected *to him*."[3] It was not only "so unperfect as to have no coherence at all, and in most places to carry no true English";[4] but was so "confused that no man, himself excepted, could possibly gather any purpose" from it.[5] Of the *general* truth of this, the document itself is sufficient proof.[6]

[1] Strype's Whitgift, 409.

[2] Ibid., Appendix, pp. 176, 178; Penry's Protestation.

[3] Ibid., Append., p. 177.

[4] Strype's Whitgift, 413.

[5] Ibid., Append., p. 178.

[6] It is recorded in Strype's Whitgift, 410–412.

I cannot agree with Dr. Waddington (Life of Penry, 183), that "the great fault of these rough notes is the truth contained in them, couched in terms which, to the honest and independent mind of the young reformer, had become habitual"; or that, "had he given the last touch to the memorial, ... it is extremely probable that he would not have softened a paragraph, or even a word, that he deemed needful for the majesty of his cause." This may convey — though not strictly — the idea that he would have softened nothing of what he had written. The Paper, if indeed intended for presentation to her Majesty without "softening," was most insolent. And although "containing nothing which would *now* be reckoned treasonable," yet these "rough notes" are utterly unbecoming an address to a prince; are inconsistent with the precepts of the Gospel; and equally inconsistent with that high Christian spirit which pervaded Mr. Penry. As I have stated, so I believe that this draught of a Petition, or Address, to the queen was like the

This rough draught of *other* people's opinions, and in *other* people's words,[1] — which he had not looked upon for fourteen or fifteen months,[2] — was designed partly "for his own further consideration, that *he might clear her Majesty* when occasion should be offered";[3] and partly "as the ground of a brief treatise which, with his own hands, ... he purposed to have delivered to her Highness for the manifesting of his *faith and allegiance* toward the Lord and her Majesty." In this treatise, "as in a *private* advertisement, he meant to have offered unto her consideration, whether many things *beside her knowledge* were not done under her government to the hinderance of the free course of the Gospel?"[4] He hoped that thus she might be led "to conceive of him as he was in his heart towards her," and favor a petition that he might "employ his small talent among his poor countrymen in Wales for their calling unto the knowledge of Christ."[5] These writings were not only most imperfect, but had been

rest of his Papers, — and Penry classes this with others, — a crude form into which he had thrown the opinions and language *of others*. To this opinion I have been led by a careful, minute, and I think candid, examination of Penry's Protestation. I think we have his explicit and iterated declaration, that neither the allegations nor the "terms" of this Paper were a transcript of his own mind.

[1] "Mine," he wrote, speaking of all these his offensive Papers, "I dare not acknowledge them to be, for a thousand worlds; because I should thereby most fearfully sin against the Lord and mine own conscience in bearing false witness against myself." (Strype's Whitgift, Appendix, p. 177.)

[2] Strype's Whitgift, Appendix, p. 178.

[3] "*As I shall answer before the Lord my God*," he wrote in his Protestation, "I had no other but this dutiful meaning in setting down *whatsoever* is now so heinously interpreted *in those my writings*." (Strype's Whitgift, Appendix, p. 179.)

[4] Strype's Whitgift, 409; Appendix, p. 176.

[5] Ibid., 409; Append., p. 177.

carefully concealed, so that "*no creature under heaven* was privy to them, himself excepted."[1] When he was arrested, his study was sacked, and these papers, with all others in his possession, were seized. The second day after, he was taken before Mr. Justice Young, and by him committed to the Poultry Counter.[2]

On the fourth day of April, 1593, Helen Penry left a Petition at the house of the Lord Keeper Puckering, that "she might have access to him to administer such necessaries unto him as she could for the preservation of his life." She was accompanied by Catherine Unwin, a widow, who was "seized on the spot and committed to the Gatehouse by the Lord Chief Justice, for *being with* Penry's wife and others when she delivered the Petition." In some unaccountable way, Helen herself escaped.[3] A notable, but not rare, instance of the slight grounds on which the Separatists were sent to prison.[4]

On the sixth day of the month Mr. Penry "got means, whereof no living creature knew,"[5] to write to his beloved wife, under the conviction that "his blood was laid for, and that so his days and testimony were drawing to an end."[6] Under these circumstances it was an affecting letter. But it con-

[1] Strype's Whitgift, 409; Appendix, p. 177.

[2] Waddington's Penry, 122; Penry to his wife, April 6th, 1593.

[3] Waddington's Penry, 125, 126.

[4] The High Commissioners objected against John Clerk: "That the said Penry, not long before his arraignment, was at your house and had conference with you; and that you, before his departure from you, understanding that he was *endangered, did there promise to pray for him*, saying, that you hoped both he and his cause should return with credit." (Waddington's MS.)

[5] Waddington's Penry, 134.

[6] Ibid., 127.

tained no matters of historical interest other than we have cited above of his arrest and commitment. More and more impressed with the conviction that his life was about to be sacrificed, he made further preparation for the event in a parting letter for his daughters "when they should have come to years of discretion and understanding,"[1] — "the eldest not four years old, and the youngest not four months."[2] This letter was signed, "From close prison with many tears, and yet in much joy of the Holy Ghost, this 10th of the 4th month of April, 1593, your poor father here on earth, most careful to be joined with you for evermore in the kingdom of Jesus Christ."[3]

The ink was hardly dry upon his signature,[4] when he was taken for examination before "the Right Worshipful Mr. Fanshaw and Mr. Justice Young." He had before refused to take the oath *ex officio*, because against conscience and law; though he held an ordinary oath before a magistrate lawful.[5] The examination — which had no reference to the matters for which he was about to be indicted — was long, and embraced many points in ecclesiastical controversy. Of these, we give only those which bring into strong relief some principles of the Independents which we have but imperfectly developed.

"What office," said Fanshaw, "had you in your

[1] Waddington's Penry, 136.

[2] Ibid., 139.

[3] Ibid., 136–145. The close of his letter to his wife was equally characteristic. "In great haste, with many tears, and yet in great spiritual comfort of my soul, your *husband for a season*, and your beloved *brother for evermore*." (Ibid., 134.)

[4] Ibid., 146.

[5] Harleian Miscellany, IV. 340.

church which meet in the woods and I know not where?"

Frankly acknowledging his connection with the Separatists, Penry replied, "I have *no* office in that poor congregation; and as for our meetings either in the woods or anywhere else, we have the example of our Saviour Christ, of his Church and servants in all ages, for our warrant. It is against our wills that we go into woods or secret places. ..... We are ready before men and angels to show and to justify our meetings and our behavior in them..... The question should not be so much where we meet, as what we do in our meetings."

"We will speak of your unlawful assemblies afterwards. But what calling have you to preach. Were you never made minister according to the order of this land?"

"Had I been willing, I might have been made either deacon or priest. But I thank the Lord, I ever disliked those Popish orders;[1] and if I had taken them, I would utterly refuse them. I have taught publicly in the Church of Scotland, being thereunto desired earnestly and called by the order of that Church. Charge, I never had any; therefore I never bare office, either there or in any other church."

"Did not you preach in these your secret meetings? What warrant have you so to do, if you have no public office in your church?"

"Whether I did or not, I do not tell you for the present. But this I say, that if the same

[1] Yet Wood says (I. 592), that the degree of Arts — 1586 — *he took* about the time when he completed holy orders.

poor congregation desired to have the use of my small gifts for the instruction and consolation thereof, I would, being prepared, most willingly bestow my poor talent to their mutual edification and mine."

"And may you teach in the church publicly, having no public office therein?"

"I may; because I *am a member* thereof, and requested thereto by the Church. The body of Christ (that is, any particular congregation of the Church) ought to have the use of all the gifts that are in any member thereof."

"Then every one that will, may preach the Word in your assembly?"

"Not so; for we hold it merely unlawful, yea, tending to the Anabaptistical inversion of all good order in the Church,[1] for any man to intermeddle with the Lord's holy truth, ... *except he be desired and called thereunto by the body.*"

"But may any preach that hath not an office in the Church so to do?"

"Yea, that he may; and the Word of God bindeth him to preach, whosoever he be, that intendeth to become a pastor or teacher in the Church of Christ, *before* he take his office upon him, and bindeth the Church to take the trial of his gifts *before* they give him his office."

"What office hath he all this while?"

"No other office than every member of the body hath, who are bound to have their full operation in the body according to that measure of grace which they derive from their Head, the Lord Jesus

[1] Again I must object to Wood's record. He says (I. 592), in contradiction to Penry himself, that "he became a most notorious Anabaptist."

Christ. . . . . Now it should be no new thing unto you to hear that they may preach who have no office in the Church, seeing this is so common a thing in the Colleges and Universities."

"Yea; that is in *the schools*."

"If warrantable in the schools, much more in the Church and congregation."

"Well, then you bear no office in this your church. . . . . But how came this to pass?"

"Surely I was desired to take a charge, and to continue with them. But I would not, because it hath been my purpose always to employ my small talent in my poor country of Wales. And this was *the only* cause of my coming out of that country" — Scotland — "where I was,[1] and might have stayed all my life; . . . . . purposing to have offered myself unto her Majesty or some of their Honors, that it might be made known unto her Highness what I hold in religion, and how clear I am of those grievous crimes of sedition and disturbance of her Majesty's peaceable government wherewith I am wrongfully charged."

"Why! you labor to draw her Majesty's sub-

[1] The reader can judge for himself whether to elect this statement of Penry, or that of Heylin (Hist. of the Presbyterians, Book IX. Sec. 31), who says that, at the beginning of Hacket's treasons, — an insane fanatic whom I have not thought worth notice, — "he makes for London to have played his pranks if their design had took effect. . . . . But when he saw those hopes deluded and Hacket executed, his guilty conscience prompted him to fear the like cruel death, which hurried him *again* to Scotland," &c. Penry went to Scotland in 1589, and did not return until the autumn of 1592. Hacket, "a great impostor," who fancied himself the Messiah, was executed July 28th, 1591; more than a year before Penry's return from Scotland. (Stow, 762.) It is not to Collier's credit, that he adopts this libel of one of the most splenetic historians.

jects from their obedience unto her laws, and from this Church of England, to hear you, and such as you are, teaching in the woods!"

"Nay, I persuade all to obedience of my prince and her laws. . . . . I know this enterprise to be so far from repugnant to her Majesty's laws, as I assure myself the same *is warranted* thereby. Her Majesty hath granted, in establishing and confirming the Great Charter of England (whereunto, as I take it, the kings and queens of this land are sworn when they come to the Crown), that *the Church of God*, under her, *should have all her rights and liberties inviolable forever.* Let the benefit of this law be granted us, and it shall be found that we have done nothing but what is warrantable by her laws."

"What! is it meet that subjects should charge their princes to keep covenant with them, and enter to scan what oaths they have taken for this purpose! Where find you this warranted by Scripture?"

". . . . . It is the crown and honor of princes to be known not only to hold, but even to be in *covenant* with their subjects, that they will preserve them from violence and wrong. Nay, *heathen* princes have thought themselves honored, when their mean subjects have charged them very earnestly with the covenants whereby they were bound unto their people. The laws of this land are so full this way, as no man conversant with them can be ignorant that our princes have preferred the observing of those equal covenants whereby they are tied unto their people, before the accomplish-

ing of their own private affections, yea, and commandments in some cases. Hence it is that the judges of this land are bound by the law to administer justice and equity unto the poor subjects, notwithstanding that the prince's letters be directed to them to the contrary. And as to the law of God," &c. Then, answering Mr. Fanshaw's last question by citing cases recorded in the Bible, he concluded: "But alas! I enter not to scan her Majesty's oath. I only tell you what her laws allow me and my poor brethren. And I am assured, *if her Majesty knew the equity and uprightness of our cause, we should not receive this hard measure which we now sustain.* We and our cause are never brought before her Majesty but *in the odious weeds of sedition, rebellion, schism, heresy*, &c.; and therefore it is no marvel to see the edge of her sword turned against us."

"Hath not her Majesty, by her laws, established these offices and this order now in the Church of England?"

"I grant that, of oversight, her laws have; taking them for the right offices and order which appertain to the Church of Christ; but, because we plainly see they are not, we fly unto her former promise and act, whereby she granteth us the enjoying of all the privileges of the Church of Christ."

"Why then go ye about to pull down bishops?"

"Alas! far be it from us that ever we should intend such actions. . . . . We labor to save our own souls, and all those that will be warned by us, in avoiding all corruptions in religion, and practising the whole will of God as near as we can.

Further than this we have no calling to go; and therefore dare not so much as once *in thought conceive* of anything that we should do *in the altering or pulling down of anything* established by her laws."

"Why then meet you in woods and such suspicious and secret places, if you purpose no insurrection for the pulling down of bishops?"

"For the true and pure worship of God. And there is not so much as a word or thought of bishops in our assemblies, except it be in praying for them that the Lord would show mercy and favor unto them; which we wish as to our *own* souls. Our meetings are secret, as I told you, because we cannot without disturbance have them more open."

"Then you are privy unto no practice or intent of any sedition or commotion against her Majesty and the State for the pulling down of bishops?"

"No, I thank God! nor ever was. And I protest before heaven and earth, that, if I were, I would disclose and withstand the same to the uttermost of mine ability, in all persons of what religion soever they were."[1]

We make no comment upon the several points of this examination. The frankness of the young confessor, his mild but fearless defence of himself and his brethren, the firmness with which he took his stand upon *Magna Charta* as fundamental law, the modesty yet manliness with which he claimed that no statutes were laws, and no judicial proceedings legal, unless in harmony with that same grand instrument, his clear and sound exposition of the obligations of princes, — on which point he

[1] Harleian Misc., IV. 340 – 348, contains the Examination entire.

was far in advance of his interlocutors and of his contemporaries generally, — will not escape the reader's consideration, nor fail to excite his enthusiastic approval. It is also sufficiently apparent from what we have quoted, that the magistrates were morbidly jealous of all conventicles, lest they were only seditious conferences under a mask. It is further apparent, that the only object of this examination was to worm from the prisoner information of the principles and secret doings of the Separatists. *Quære*, If, at the time, Mr. Penry was notoriously reputed and supposed to be Martin Marprelate, how are we to account for the fact that neither upon this occasion, nor during his prosecution, was a question asked, or a word said, of that detested writer?

It was intended to try Mr. Penry upon an indictment under the Act 23 Eliz., Cap. II., "Against seditious words and rumors uttered against the Queen"; and to rely upon the books which had been *published in Penry's name* to sustain the indictment.[1] Against this proceeding he framed a Declaration, drawn with such legal ability and accuracy, that an argument at law was apprehended by which the indictment might be quashed. The Court therefore set aside "his printed books," and indicted him, under the same Statute, for Papers *not* printed; those secret and crude Papers found in his study.[2] He was arraigned on the twenty-

[1] Strype's Annals, VII. 246; caption to No. CXVI.

[2] Strype's Whitgift, 410, 412. Neal, I. 204. Brook, II. 52, 59, 60. Hanbury, I. 78.

The "Declaration" of Penry is in Strype's Whitgift, pp. 412, 413.

In the common acceptation of the word, a *pamphlet* is a printed sheet stitched together, but not bound.

first day of May. Only the counsel for the Crown being heard, a conviction was speedily obtained.[1] "The case is most lamentable," — they are the only words approaching to complaint which we find from his pen, — "the case is most lamentable, that *the private observations of a student,* wishing well to his prince and country, should bring his life unto a violent end."[2] On the twenty-fifth day of May sentence of death was formally pronounced.[3]

It was generally supposed that Mr. Penry would have been executed on the next day, according to the custom in such cases. But as this was delayed through the second and third days, "the people expected a respite."[4] On the twenty-ninth

Hence the following language of Mr. Hallam (p. 124) may seem to conflict with my statement. "The authors of Martin Mar-prelate could not be traced with certainty; but strong suspicions having fallen on one Penry, he was tried some time after for another *pamphlet* containing sharp reflections upon the queen herself."

In giving a description of the Papers for which Penry was actually indicted, I have repeatedly cited, and sometimes quoted, his "Protestation"; a Paper sent to Lord Burleigh on the 22d of May (Strype's Whitgift, 414), when the writer "looked not to live the week to an end." (Ibid., Append., p. 180.) Mr. Hallam very justly remarks (p. 125, note): "Penry's Protestation is in a style of the most affecting and simple eloquence. It is a striking contrast to the *coarse abuse* for which he suffered." But this "coarse abuse" was nowhere apparent in any of his *published* writings. None of them corresponded in style or spirit with that — a transcript of other men's opinions and words — for which he suffered. I think it evident, therefore, that Mr. Hallam intended to designate the same *un*published writings upon which I have alleged his prosecution to have been based.

No Papers, printed or not printed, known to have been the expressions of Penry's own mind, were characterized by "coarse abuse." The keen, rough, irritating satire of Martin Mar-prelate is utterly foreign to his character. Witness his temperate, respectful language during his examination.

[1] Neal, I. 204. Waddington's Penry, 185.

[2] Strype's Whitgift, 413.

[3] Wood's Athenæ, I. 597. Waddington's Penry, 203.

[4] Wood's Athenæ, I. 597. Waddington's Penry, 203, note. Collier, VII. 173.

day of the month, however, his death-warrant was signed, *first of all*, by John, Archbishop of Canterbury; then, by the Lord Keeper Puckering and Chief Justice Popham. It was immediately sent to the sheriff, who forthwith ordered the erection of a gallows at the place of execution for the county of Surrey, near a brook dedicated in olden time to Thomas-à-Becket, and hence called St. Thomas's Watering. While the convict was at dinner, he was informed that he must die that day; an announcement by which he was not surprised, and for which he was fully prepared. Thus suddenly, when the people were not expecting it, and "in a close manner," — for fear of a tumult, — he was carried forth at five o'clock in the afternoon. Only a few people were gathered, — those who had been attracted by the erection of the gallows. He was hastily swung off, the sheriff peremptorily denying his request that he might declare "his faith toward God and his allegiance to her Majesty."[1]

Thus, and on such pretences, was this loyal subject and devoted Christian translated to heaven when but thirty-three years of age; leaving to poverty and God "his desolate widow, and his mess of fatherless and friendless orphans."

"By the death of him, Udal, and Barrow," says the Oxford historian, "the neck of the plots of the fiery non-conformists was broken, and their brags turned into preaching of prayers and tears as the only means for Christian subjects."[2] To which a

[1] Stow, 766. Wood's Athenæ, I. 597. Heylin's Presb., Book IX. Sec. 31. Neal, I. 205. Brook II. 65. Waddington's Penry, 203 and note, 204.

[2] Wood's Athenæ, I. 597.

modern historian and Churchman replies: "It is more certain that they concealed their grief and nourished their hatred; and that the next generation took, for this and other enormities, a terrible and equally wicked revenge."[1] Yet it is *certain* that these non-conformists had had no "plots" *to be* broken; and we have yet to find the first indication of their "hatred." Whatever may have been the spirit and behavior of the Independents of "the next generation," through the many Papers — even the most confidential — which came from the hands of Penry and his brethren, we find only the spirit of meekness, of patience, of steadfastness, and of loyal attachment to their queen, — "our noble queen," they styled her, "who doth plentifully daily imitate the mercy of our Heavenly Father."[2]

The reader may perhaps wonder that such men as Udal, Greenwood, Barrow, and Penry should have been judged guilty of seditious and felonious libels against their sovereign, by the verdict of an English jury. On this point we cite the following words. "There is no room to wonder at any verdict that could be returned by a jury, when we consider what means the government possessed of securing it. The sheriff returned a panel, either according to express directions, — of which we have proofs,[3] — or to what he judged himself of the crown's intention and interest. If a verdict had gone against the prosecution in a matter of moment, the jurors must have laid their account

[1] Marsden, 184.

[2] Waddington's Penry, 258; Memorial of Church to Lord Mayor.

[3] See Lodge, II. No. LXIV.; p. 74; III. p. 50.

with appearing before the Star-Chamber, lucky if they should escape, on humble retractation, with sharp words, instead of enormous fines and indefinite imprisonment. The control of this arbitrary tribunal bound down and rendered impotent all the minor jurisdictions. That primeval institution, those inquests by twelve true men, the unadulterated voice of the people, responsible alone to God and their conscience, which should have been heard in the sanctuaries of justice, as fountains springing fresh from the lap of earth, became, like waters constrained in their course by art, stagnant and impure. Until this weight that hung upon the Constitution should be taken off, there was literally no prospect of enjoying with security those civil privileges which it held forth."[1]

John Cotton, in his answer to Roger Williams in 1647, says: "I have received it from Mr. Hildersham, a man of a thousand, that Penry did ingenuously acknowledge before his death that, though he had not deserved death for any dishonor put upon the queen by that book found in his study and intended by himself to be presented to her own hand, nor by the compiling of Martin Marprelate, (*of both which he was falsely charged*,[2]) yet he confessed he deserved death at the queen's hand for that he had seduced many of her loyal subjects to a separation from hearing the Word of life in the parish churches. Which, though himself had learned to discover the evil thereof, yet he could never prevail to recover divers of her subjects

[1] Hallam, 139.

[2] See *ante*, p. 305.

whom he had seduced; and therefore the blood of their souls was now justly required at his hands."[1]

To show the error of Mr. Hildersham's words, — *if indeed they are his words*, — we oppose those of Penry himself, written in immediate view of death. "Neither I," said he in a Paper which he gave to his inquisitors at the close of his examination, "neither I nor any other that hold the same with me *deserve* the shortening of our days by her Majesty's sword."[2]

In his last letter, only five days before his death, "To the distressed and faithful congregation of Christ in London," anticipating, for reasons which will appear in our next chapter, that "banishment with loss of goods was likely to betide them," Mr. Penry urged that all should go into exile *together*, the better conditioned and the poorer, so that the latter might be aided and comforted by the former "in the land of strangers, and not be forced to stay behind and *to break a good conscience* for want of support and kindness."[3] "I humbly beseech you," he added, "that you would take my poor desolate widow and my mess of fatherless and friendless orphans with you into exile. . . . . I beseech you, let them not continue after you in this land, *where they must be enforced to go again into Egypt*.[4] . . . . . I would wish you earnestly — yea, to send if you may — to comfort the brethren in the west and north counties, that they faint not in these troubles. . . . . Yea, I would wish you and them *to be together*, if you may, whithersoever you shall be banished."[5]

[1] Wood's Athenæ, I. 598.
[2] Waddington's Penry, 276.
[3] Ibid., 174.
[4] Ibid., 174, 175.
[5] Ibid., 176.

In his farewell letter to his wife he says: "My beloved, *continue* a member of that holy society whereof you and I am. . . . . Keep yourself, my good Helen, here with this poor church. . . . . Keep our poor children with you, that they be brought up *with some of the Church* with bread and water, rather than to be clad in gold with any . . . . . that yield obedience unto Antichristian ordinances.[1] . . . . . Will you or my dear children join with the corruptions that are dyed with your husband's and father's blood?"[2] To his children: "Whatsoever becometh of you in outward regard, *keep yourselves in this poor church*, or in some other holy society of the saints. . . . . Have you *nothing to do* with the ordinances and inventions of Antichrist's kingdom . . . . . such as Lord Archbishops, Archdeacons, Chancellors, Prebends, Spiritual Courts, and the mingling of the clean and unclean. . . . . Of such inventions, *mingled with the truth*, doth the Man of Sin consist. Now, my dear daughters, you and all others, the members of Christ, are bound *not to have any fellowship* with the ordinances of such abomination."[3]

With such evidence before us, we are authorized to pronounce Mr. Hildersham's statement *a grand mistake*. Excepting the few whom "dungeons, irons, close prison torment, and want of means to maintain their families, had caused to make shipwreck of a good conscience,"[4] not only Penry, but Barrow, Greenwood, and all their compeers, — lowlily, yet magnificently, in advance of *all* others of

[1] Waddington's Penry, 128, 130, 132.

[2] Ibid., 135.

[3] Ibid., 137, 140.

[4] Ibid., 267; Memorial of the Church to the Lord Mayor.

their day, — were true to the last to their principles as Separatists; were persistent assertors of THE RIGHT TO WORSHIP GOD ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES.

It happened — we know not how — that Queen Elizabeth was disquieted by these executions. "Tell me," said she to Dr. Rainolds,[1] "what you think of those two men, Henry Barrow and John Greenwood."

"It cannot avail anything to show your Majesty my poor judgment, seeing they be put to death."

"Nay, Doctor; but you *have* an opinion."

"Troth, my liege lady! But to utter it, — *cui bono?*"

"Princes may hide their opinions and purposes from their subjects; not subjects from their princes. *Cui bono!* That is for me to judge; and I charge you *on your allegiance*, sir, tell me your mind of those men."

"Your Highness must be obeyed." He then added impressively, "I be persuaded in my soul, had they lived they would have been two as worthy instruments for the Church of God as have been raised up in this age."

Her Majesty sighed, and said no more. Afterwards, riding in Hyde Park, whence the place of their execution came in sight, she was again reminded of them; and, turning to the Earl of Cumberland, who was of her suite and had been present when they suffered, she asked him, "What end made they?"

[1] *Ante*, Chap. IX.

"A very godly end; and prayed for your Majesty and the State."

The queen was the more disturbed, and betook herself to the Archbishop of Canterbury.

"What, in your very conscience, think you of those two men, Barrow and Greenwood?"

"I think, your Highness, that they were the *servants* of *God*, BUT *dangerous to the State*."

"Alas!" replied her Majesty, "shall we put the servants of God to death!"

Henceforth her mind was changed; so that during her reign care was taken that no more Protestants should be put to death for their religion.[1]

The queen knew that these men had been indicted, tried, convicted, and sentenced by due process of law. But that she in any wise sought their prosecution, stimulated the Courts to their conviction, or dreamed of any good reason why the law should not have its course, we do not believe. The conversations which we have just cited sustain our opinion in part. Her reply to the Archbishop, particularly, was not only a withering rebuke of the monstrous solecism which he uttered, but an honest lament over the dead.

Barrow himself had faith to the last in her "princely clemency, rare virtue, and Christian care of her faithful subjects," himself and his brother Greenwood not excepted. After their second reprieve, he expressed his firm belief that, as she had "of her own accord and singular wisdom twice

[1] Morton, 339, 340. Pierce, 147. Neal, I. 202. Brook, II. 42. Hanbury, I. 61, 62. These conversations seem to have occurred after Penry's execution, although his name does not appear to have been mentioned.

staid the execution of their rigorous sentence, even before she knew their innocence, so she, who had never desired, and loathly shed, the blood of her greatest enemies, would freely and fully pardon *their* execution, being her loyal, Christian, and innocent subjects, especially if her Majesty *might be truly informed* of the things that had passed."[1] Such, too, was the belief of the suffering church of the Separatists. "We speak," said they, "of her Majesty's imitation of God in mercy; in which some may consider us liars or flatterers. But we are persuaded that their reprieve" — that of Barrow and Greenwood — "was in mercy; and that their execution soon after was rather *importuned and hastened by others*, than easily consented unto by her Grace, — for hath she not always been merciful to her veriest enemies? Therefore, *hereupon* it fell out."[2] Penry also, after his sentence of death, expressed the same sentiments. "I am *assured* that, if her Majesty ..... may understand the uprightness of my cause *in any sort, one hair of my head shall not perish.*"[3]

Who, then, was guilty of the blood of Barrow, Greenwood, and Penry? As we have stated, Mr. Barrow predicted, more than two years before the prediction was verified, that the Archbishop was resolved upon his death and Greenwood's. If we may credit the words of the Bishop of London, in a Paper written by order of his Grace, it was coolly planned by these two prelates, under

[1] Barrow to the Countess ——.
[2] Waddington's Penry, 258, note; Memorial of Church to Lord Mayor.
[3] Strype's Whitgift, Appendix, p. 179.

advice from both Chief Justices, to prosecute these "sectaries according to the course of common law" — the bishops wishing to avert the odium from themselves — if they should not recant; coolly planned also to worm from them opinions, "under pretence of charitable Christian conference," which might be used, should occasion require, to facilitate and insure their conviction.[1] And if we may credit Mr. Barrow, the prelates themselves had *procured* their indictment[2] under that elastic, fatal Statute of 23 Elizabeth which was originally intended to bear only upon the Papists.[3] These steps having been taken, conviction procured, and sentence pronounced, access to her Majesty's mercy-seat was so rigidly guarded that even a poor widow was imprisoned for conniving at a petition for Penry's comfort; the Master of Requests was suborned to suppress all supplications to her Highness; and "false informations and suggestions" were whispered in her ears against these and all other prisoners ecclesiastical.[4] In all the affairs of ecclesiastical offenders or convicts, we know that the influence of the Archbishop in the Council-chamber, whence emanated all reprieves, and where all orders for executions were controlled, was so adverse to mercy as to baffle, disgust, and discourage the Lord Treasurer himself. We know that when the House of Commons frowned upon a bill making it "felony to maintain any opinions against the ecclesiastical government," — a bill pressed *by the bishops*, with

[1] *Ante*, p. 501, note 5.
[2] Barrow to the Countess ——.
[3] *Ante*, Vol. II. p 193.
[4] Strype's Annals, VII. 70; Cartwright to Lady Russel. Waddington's Penry, 246; Cartwright and others to Burleigh. Ibid., 249; Barrow to Fisher.

Canterbury at their head, — the very next day after the opposition became known, early in the morning, Mr. Barrow and Mr. Greenwood were "trussed up." We know that thereupon it became the *general* opinion, that "their execution proceeded of malice of the *bishops*," — Canterbury able to command a death-warrant, — "to spite the nether House." We know that the Archbishop was foremost to sign the death-warrant of Penry, and that he *justified* the execution of the others. And finally, we know that it was then the *universal* opinion, that "the bishops and the High Commissioners were at the bottom of all these proceedings."[1]

When we group all these facts, and keep in remembrance his dominant influence within his own department in the Council-chamber, we think we have more than strong presumptive evidence that, had it not been for the perverted conscience, the blind policy, and the monstrous ethics of Whitgift, had his "little finger" made one sign of mercy, these men would not *so* have died. We are forced to the conviction, that the one chiefly responsible for their blood was the very man who pronounced them "Servants of God."

[1] Neal, I. 205.

CHAPTER XVI.

THE PARLIAMENT OF 1592-3.

Death of the Lord Chancellor Hatton. — The Great Seal committed to Sir John Puckering as "Lord Keeper." — Meeting of Parliament. — Opening Speech of the Lord Keeper. — His Reply to the Petitions of the Speaker. — Peter Wentwortil. — He and others imprisoned. — James Morrice; his Treatise against the High Court of Commission. — Introduces the same Subject to the Consideration of the Commons. — Debate upon it. — The Queen's Message concerning it. — Morrice committed to Prison. — Motion to petition for Release of imprisoned Members. — Bill for reducing disloyal Subjects to their due Obedience. — Debate upon it. — Passed with Amendments. — An Abstract of the Bill. — A Bill against Popish Recusants. — The Queen's Speech at the Close of Parliament. — Mr. Cartwright released from Prison. — No more Separatists executed. — The Queen orders their Deliverance from Prison. — New Imprisonments. — Banishment and voluntary Exile. — Indecent Violence of Chief Justice Anderson. — The Lull of Religious Persecution. — Puritanism turns aggressive.

The romantic passion of Hatton for Queen Elizabeth[1] received a rude shock when she suddenly instituted legal proceedings against him for the immediate recovery of forty-two thousand pounds due to the royal exchequer. This went to his heart; and, on the 20th of September, in the fifty-first year of his age, he died under the combined influence of disease and "grief of mind."[2] In the following June, the Great Seal was committed to the custody of Sir John Puckering, "with the

[1] *Ante*, Vol. I. p. 464, note.

[2] Camden, 458. D'Ewes, 456. Fuller's Worthies, II. 508. Life of Hatton, 498. Lord Campbell's "Lives of the Chancellors," (Philadelphia, 1847,) II. 135.

lower rank of Lord Keeper."[1] It devolved, therefore, upon him to open the Parliament which met, according to the royal summons, on Monday, February 19th, 1592–3.[2]

Those returned for the lower House, having taken the usual oath before the Lord Steward (the Earl of Derby) and his deputies,[3] as required by law,[4] upon notice that the queen and the Lords awaited them in the upper House, repaired thither. The Lord Keeper in his opening speech dwelt largely upon "the great malice of the king of Spain towards the realm"; who, having been balked in his former attempt at invasion, was preparing ships for the same purpose, "of a less bulk and after another fashion," and had also "wrought most of the nobility of Scotland to conspire against their king, to give landing to his forces there, and to assist him in his invasion thither." He added, that her Majesty, for the proper defence of her realm against these intents and machinations, had not only exhausted her exchequer, but had "caused a part of her Highness's crown to be sold"; and that therefore it was incumbent upon her subjects to devise means to "assist her Majesty in such an insupportable charge."[5] In conclusion: "Her Majesty further hath willed me to signify unto you, that the calling of this Parliament now is not for the making of any new laws and statutes, — for there are already a sufficient number both of ec-

[1] Camden, 458. Stow, 765. Campbell (II. 155) says *May*.

[2] D'Ewes, 456, 468. Townshend's Historical Collections, 31 (London, 1680).

[3] D'Ewes, 468.

[4] 5 Eliz., Cap. I. Sec. XIII.

[5] D'Ewes, 457.

clesiastical and temporal. . . . . Wherefore it is her Majesty's pleasure that the time be not spent therein. But the principal cause of this Parliament is, that her Majesty might consult with her subjects for the better withstanding of those intended invasions, which are now greater than were ever heretofore heard of. And whereas heretofore it hath been used that many have delighted themselves in long orations, full of verbosity and of vain ostentations, more than in speaking things of substance," — it is her will that ". . . . . the good hours should not be lost in idle speeches, but . . . . . be bestowed wholly upon such businesses as are needful to be considered of.[1] [You are especially commanded by her Majesty to take heed that no ear be given, nor time afforded, to the wearisome solicitations of those that commonly be called Puritans, wherewith all the late Parliaments have been exceedingly importuned; which sort of men, whilst that (in the giddiness of their spirits) they labor and strive to advance a new eldership, they do nothing else but disturb the good repose of the Church and Commonwealth, which is as well grounded for the body of religion itself, and as well guided for the discipline, as any realm that confesseth the Truth. And the same thing is already made good to the world by many of the writings of godly and learned men, neither answered nor answerable by any of these new-fangled refiners. And as the present case standeth, it may be doubted whether they or the Jesuits do offer more danger, or be more speedily to be

[1] D'Ewes, 458. Townshend, 32, 33. Hansard, I. 858, 859.

repressed. For albeit the Jesuits do empoison the hearts of her Majesty's subjects, under pretext of conscience, to withhold them from their due obedience to her Majesty, yet they do the same but closely and in privy corners. But these men do both teach and publish in their printed books, and teach in all their conventicles, sundry opinions not only dangerous to a well-settled estate and the policy of the realm, by putting a pike[1] between the clergy and the laity; but also much derogatory to her sacred Majesty and her crown, as well by diminution of her ancient and lawful revenues and by denying her Highness's prerogative and supremacy, as by offering peril to her Majesty's safety in her own kingdom. In all which things (however in other points they pretend to be at war with the Popish Jesuits) yet by this separation of themselves from the unity of their fellow-subjects, and by abasing the sacred authority and majesty of their prince, they do both join and concur with Jesuits in opening the door and preparing the way to the Spanish invasion that is threatened against the realm. And thus, having according to the weakness of my best understanding delivered her Majesty's royal pleasure and wise direction, I rest there; with humble suit of her Majesty's most gracious pardon in supplying my defects, and recommend you to the Author of all good counsel."][2]

[1] *Sic.* Quere, *pique?*

[2] Lloyd, 607, 608.

The part of this Speech which I have enclosed in brackets is not to be found in D'Ewes, Townshend, or Hansard. Lloyd, from whom I quote it, says that it was delivered by Sir John Puckering in the House of Lords in the year 1588. It is indeed true that he was *in* the

The Commons elected Edward Coke, her Majesty's Solicitor-General, as their Speaker; and on Thursday his election was ratified by her Majesty's "allowance."[1] In reply to his petitions for liberty of speech, for freedom from arrests, and for access to her Majesty, the Lord Keeper said:—

"To your three demands the queen answereth, liberty of speech is granted you; but how far, this is to be thought on. There be two things of most necessity, and those two do most harm,—Wit and Speech; the one exercised in invention; the other uttering things invented. Privilege of speech is

House of Lords during that session of the Parliament; and that on the tenth day of February, and on the fifteenth, he was appointed on two different committees. But he was there as an "attendant, but not a member," and was only one of *joint* committees with the Lords,—a thing "very usually done in Parliaments foregoing the queen's reign." (D'Ewes, 422, 423.) In correspondence with this, we find it also stated incidentally, that, at the opening of the Parliament of 1592–3, the Commons were received into the upper House by "her Highness, with divers of the Lords spiritual and temporal, and *such others as had place there*." (Ibid., 469.) Other cases of "mere attendants upon the upper House" are recorded by D'Ewes, pp. 142, 143, 198, 199, 201, 317.

But although Puckering was in the House of Lords in the session of 1588–9, and served there on committees, he could not have delivered then and there *such* a speech as is attributed to him by Lloyd, for it is evidently befitting only one upon whom devolved the duty of opening a Parliament. This duty did not devolve upon Puckering until this session of 1592–3; and never devolved upon him again, for he died in 1596, before another Parliament. I have therefore disregarded the date given by Lloyd, and have inserted the Speech which Lloyd records, as a part of that which Puckering "delivered in the House of Lords" at the opening of *this* Parliament of 1592–3.

It is evident that Puckering, and probably the queen, confounded the school of Cartwright with that of Barrow; for the former never had held "conventicles," nor did they "separate themselves from the unity of their fellow-subjects" in the Church; while they only—and *not* the latter—sought the "diminution of the queen's lawful"—legal—"revenues" of tenths and first-fruits.

[1] D'Ewes, 459, 469. Townshend, 34–36, 53

granted. But you must know what privilege you have, — not to speak every one what he listeth, or what cometh in his brain to utter; but *your privilege is to say Yea or No.* Wherefore, Mr. Speaker, her Majesty's pleasure is, That, if you perceive any idle heads which will not stick *to hazard their own estates,* which will meddle with reforming of the Church and transforming of the Commonwealth, and do exhibit any bills to such purpose, you receive them not, until they be viewed and considered of by those whom it is fitter should consider of such things, and can better judge of them. To your persons all privilege is granted, with this *caveat,* That, under color of this privilege, no man's ill-doings or not performing of duties be covered and protected. Free access is also granted to her Majesty's person, so that it be upon urgent and weighty causes and at times convenient, and when her Majesty may be at leisure from other important causes of the realm."[1]

The first person who threw himself into collision with these insulting restrictions was the immortal Peter Wentworth. Determined to assert practically the right of saying something *more* than Yea or No, and again braving arrest and imprisonment, he presented to the House "a Petition," addressed "to the Lord Keeper, therein desiring the Lords of the upper House to be suppliants with them of the lower House unto her Majesty, for entailing the succession of the crown"; for which object he had a bill in readiness. In this he was seconded by Sir Henry Bromley. On the previous day

[1] Townshend, 37, 38. D'Ewes, 460.

— Friday — the business of the House had been intermitted by the queen's order; so that this was the first step taken in their proceedings, except the reading of a single bill, after the election of their Speaker.[1] No resolution could be regularly taken, the Speaker being detained by sickness; yet the proposition seems to have received the assent of the House.[2] A committee had been previously appointed to consider this subject of the succession, — a committee of the "wise, grave, and ancient members." A few of them only had met; but they had appointed one of their number to draft a petition, and to sustain it when presented to the House. Through timidity, probably, he had failed;[3] and Mr. Wentworth had stood in the gap.

The queen was much incensed at a proceeding which was "contrary to her former strait commandment," and upon a matter touching which she had always been exceedingly sensitive. By her order Mr. Wentworth, Sir Henry Bromley, and two others who had been privy to the matter, were on the same day commanded by the Privy Council to retire from the Parliament-House to their private apartments. The next day, in the Council-Chamber, the Lords treated them with marked courtesy, but committed Mr. Wentworth to the Tower and the others to the Fleet; assuring them, however, that they did so only upon compulsion from her Majesty.[4]

But there were yet some members of the House

[1] D'Ewes, 470. Townshend, 53, 54.
[2] Carte, III. 644.
[3] Townshend, 54.
[4] D'Ewes, 470. Townshend, 54. Hansard, I. 870, 871.

who took their stand upon the right of free speech, even concerning matters ecclesiastical; undaunted by the arrest and imprisonment of their colleagues. James Morrice, an Attorney of the Court of Wards and Chancellor of the Duchy Court (Lancaster),[1] stimulated by the arbitrary proceedings of the Ecclesiastical Commissioners against Mr. Cawdrey and against Mr. Cartwright, had published a treatise, showing that the Court had no authority, except in causes of wills or of matrimony, to compel any oath; and particularly that such compulsion was against the laws of the realm and the queen's prerogative.[2] Two days after the commitment of Wentworth, he introduced the same subject to the Commons, complaining that godly ministers were wronged by the ecclesiastical judges in the way of inquisition, subscription, and binding absolution; that is, absolving them from imprisonment only on condition of bonds for their future behavior;[3] or, perhaps, upon their taking a new oath of canonical obedience;[4] or both. These proceedings, he said, were "contrary to the honor of God, the regality of her Majesty, the laws of the realm, and the liberties of the subject." He further charged, that the said judges "did compel the ministers upon their oaths to accuse themselves in their own private actions, words, and *thoughts;* and upon such self-accusation did deprive, degrade, or suspend them. Or, if they refused the oath, did commit them to prison." He therefore prayed the

[1] Heylin's "Reformation," Introduction, p. 9; "Presb.," Book IX. Sec. 24. Strype's Whitgift, 386.

[2] Heylin's Presb., Book IX. Sec. 21. Neal, I. 196. *Ante*, p. 398.

[3] Strype's Whitgift, 387.

[4] D'Ewes, 474.

House "for a consultation to be had for redress of such enormities, and offered to the Speaker two bills; the one concerning the said inquisitions, subscriptions, and offering of oaths; the other concerning imprisonment for refusal of said oaths; reserving the former for some more convenient season, but praying that the latter might be read,"[1] and that, "if the House thought good to receive it, they might be suitors to her Majesty to have it allowed." This bill he delivered to the Speaker.[2]

Mr. Dalton, a lawyer noted for pleading and counsel, and who "remained always very tight to the bishops in the Parliament-House,"[3] replied. "This bill pretends great things in show," as though they were things "tending to the hinderance of God's service, the derogation of her Majesty's prerogative, the overthrow of our laws, and the violating of our liberties. . . . . It is easy, in words, to make a mountain out of a mole-hill, a great and dangerous thing out of nothing. The State hath always stood upon this government. The ecclesiastical government is distinct from the temporal"; for all of which words "he gave few or no reasons," say the Journalists. "But my chief objection to this bill, and my chief reason for its suppression, is, that her Majesty hath commanded us not to meddle with reformation in Church or State."[4]

In reply to Mr. Dalton and to Sir John Wolley, who had also urged her Majesty's commandment, Sir Francis Knollys said: "This bill is condemned

[1] D'Ewes, 474. Hansard, I. 875, 876.
[2] Townshend, 60.
[3] Strype's Whitgift, 387.
[4] D'Ewes, 474. Townshend, 61. Hansard, I. 876.

as seeking the overthrow of a member of the State, and thus against the law. But in my opinion it tendeth only to the reforming of abuses and restraining of the prelates. If they meddle against the laws, they will incur a *præmunire*. In mine opinion, the bill be good and fit to be read."[1]

Thus was the ball tossed to and fro. The civilians on the one side, taking the part of the bishops,[2] asserted that "inquisition was lawful, *because it had been so long used;* that subscription was a thing to which the clergy were bound by statute; and that binding absolution was none other than was required by the common law." On the other side, the Puritans, dealing for the legitimate rights of the subject and upon the principles of common sense, retorted that "the ancient Charter of the realm was flatly violated" — as indeed it was — "by the jurisdiction of the bishops; that the usage of antiquity was as good an argument for the lawfulness of inquisition as it was for the lawfulness of thieves' taking purses on Shooter's Hill, because time out of mind they had done so; that the subscription required by the statute was a subscription to certain articles of religion, but not a subscription in this form," — i. e. to articles arbitrarily drawn up by the Archbishop; and that "there was no such oath of absolution required by the common law" as was required by the Ecclesiastical Courts.

Mr. Beal also, the Clerk of the Council, an old and determined antagonist of the Archbishop,[3] ar-

[1] D'Ewes. Hansard.
[2] Strype's Whitgift, 389.
[3] *Ante*, Vol. II. pp. 411–417. Vol. III. p. 20.

gued that "the bishops had incurred a *præmunire* because the Statute 13 Elizabeth required subscription to articles of faith only, ... and that no councils or canons gave authority to them to frame articles and require subscription at their pleasure." For this, and "for making some objections to the subsidy bill, he was commanded to absent himself from the Parliament."[1]

After some deliberation, the bill, without being read, was left with the Speaker; he pledging his word that he would keep it with all secrecy.[2] The next day he announced that her Majesty, without requiring of him the bill itself, had demanded to be informed of its substance; and that, when he had stated the same, she had charged him to declare unto the House, and in her name, "That it was in her power to call and to end Parliaments, and to assent to or dissent from their doings; . . . . . that she wondered that any could be of so high commandment to attempt a thing so expressly contrary to that which she had forbidden, — meddling with matters of state or causes ecclesiastical; . . . . . and that she now renewed the words which she had spoken by the Lord Keeper, ... that no bill be exhibited touching the same." The Speaker concluded by saying, that her Majesty had also commanded him upon his allegiance not to read any such bill if exhibited.[3]

Before this message was delivered, Mr. Morrice had been "sent for to the Court, and thence com-

[1] Strype's Whitgift, 391. Neal, I. 197.

[2] D'Ewes, 478, 479. Townshend, 62, 63.

[3] D'Ewes, 476. Hansard, I. 878.

mitted unto the keeping of Sir John Fortescue, Chancellor of the Exchequer."[1] The next day he wrote to the Lord Treasurer, attributing the mildness of his restraint to his lordship's "good-will and favor."[2] Burleigh's son Robert was also his

[1] Hansard, I. 889. Townshend, 61.

Heylin says (Hist. Presb., Book IX. Sec. 24) that he was arrested "on the delivery of the message." But the message was delivered at the close of the day's session (D'Ewes, 478), and Mr. Morrice was summoned to the court "in the *morning*, and *thence* committed." But Heylin adds, "Morrice *is said* to have been seized *in the House* by a serjeant-at-arms; but howsoever seized," &c. It will be perceived that Heylin gives his authority, — Rumor; and does not rely upon it himself. Hume, overlooking this, states positively that Morrice "was seized *in the House itself*" (III. 190); an outrage upon which, I think, even Elizabeth would not have ventured. So say Neal, Lingard, and Marsden; tacitly charging the House of Commons with a pusillanimity of which they were not guilty. We must give preference to the more probable and contradictory statement of Townshend, who was himself a member of the House. D'Ewes does not even mention the arrest.

[2] From this letter I give such extracts as throw light upon the reputation of the prelates, and upon the annoyances to which the Commons were sometimes capriciously subjected.

"Right Honorable and very good Lord, ... I had thought that the judges ecclesiastical, being charged in the great Council of the realm to be *dishonorers of God and of her Majesty, violators of law and public justice, and wrong-doers unto the liberties and freedoms of all of her Majesty's subjects, by their extorted oaths, wrongful imprisonments, lawless subscription, and unjust absolutions*, would rather have sought means to be cleared of this weighty accusation than to *shroud themselves* under the suppressing of the complaint and shadow of mine imprisonment.

"There is fault found with me .... in that I preferred this cause before the matters delivered by her Majesty were determined. My good lord, to have stayed so long, I verily think had been to come too late. Bills of assize of bread, shipping of fish, pleadings, and such like, may be offered and received into the House, and no offence to her Majesty's royal commandment (being but as the tithing of mint); but the great causes of the law and public justice may not be touched without offence! Well, my good lord, be it so. Yet I hope her Majesty and you of her Privy Council will at length thoroughly consider of these things, lest, as where heretofore we prayed, 'From the tyranny of the Bishop of Rome, good Lord, deliver us!' we be compelled to say, 'From the tyranny of the clergy of England, good Lord, deliver us.'" (Lodge, III. 34 – 36.)

friend. So was the young Earl of Essex, the queen's favorite and the great patron of the Puritans.[1] It was probably owing to the influence of these friends at court that Morrice was set at liberty after a few months, and thenceforth was so conditioned as to be propounded to the queen for the high preferment of her Attorney-General.[2]

No action was attempted in behalf of the imprisoned members of the House until the tenth day of March, when a motion was made, that the House should be humble suitors to her Majesty that she would be pleased to set them at liberty. Against this, it was strongly urged by all the Privy Councillors who were of the House, that such a suit might operate against the early release of the imprisoned members; her Majesty

[1] Birch, I. 74. Heylin's Presb., Book IX. Sec. 1. Carte, III. 644.

[2] I must of course vindicate myself in differing so widely and boldly from all other historical writers. Heylin says that Morrice "was deprived of his office in the Duchy, disabled from any practice in his profession as a common lawyer, and kept for *some years* in Tutbury castle." Hume, Neal, Lingard, and others, adopt Heylin's statement. Hallam only says, that he "lay some time in prison." (p. 128.)

My reason for regarding this whole statement as a fable is to be found in a letter of the Earl of Essex to Anthony Bacon, Esq., written in October, 1593. After stating that he had importuned, though ineffectually, with her Majesty to appoint Mr. Francis Bacon as her Attorney-General, he says: "She bade me name any man of worth whom others had not named. I named Mr. Morrice, and gave him his due. She acknowledged his gifts, but said his speaking against her in such a manner as he had done should be a bar against any preferment at her hands; but seemed *to marvel* that others had never thought of him." (Birch, I. 126.)

Had Mr. Morrice at that time — less than eight months after his offence — been a prisoner of state, and disabled from the practice of his profession, such a proposition in his behalf could not have been made by the Earl; much less would the queen have used *such* language in reply, or have marvelled as she did. I therefore infer from this paragraph in the Earl's letter that Mr. Morrice was then at liberty, and that he was yet in the practice of

preferring to act therein without prompting from others.[1]

Whether this House lacked — Wentworth and his fellows and Mr. Morrice being subtracted — the same high spirit which distinguished that of 1571, before which the queen gave way,[2] or whether, having a like spirit, they controlled it for prudential reasons to us unknown and not existing in the former case, certain it is that they yielded to the suggestions of the ministers, and prosecuted the matter no further. It does not appear when Mr. Wentworth and his fellow-offenders were released; but the latter — and doubtless himself — were still "stayed by her Majesty's commandment" on the sixth day after the Parliament was dissolved.[3] In dismissing this affair, we have only to remark, that Queen Elizabeth had owed Mr. Wentworth a grudge for years; that his name had ever been in bad odor with the bishops; that Mr. Morrice had given offence to the Ecclesiastical Commissioners by his bold and manly defence of Mr. Cawdrey,[4] and by his treatise against their practices; that Mr. Beal had long been a thorn to the

law. My reader must judge of my inference. If I am correct, it is certainly unaccountable how Dr. Heylin could have made such statements.

Of course I retract a statement (*ante*, Vol. I. p. 151) which I adopted from Heylin before discovering the letter of Essex, — that Mr. Morrice was kept a prisoner till he died.

[1] D'Ewes, 497. Hansard, I. 871. Hallam, 153.

[2] *Ante*, Vol. I. pp. 382–385.

[3] Birch, I. 96; Mr. Anthony Bacon to his mother, April 16th, 1593.

Mr. Bacon's language does not necessarily include Mr. Wentworth. "Divers gentlemen that were of the Parliament, and thought to have returned into the country after the end there, are stayed by her Majesty's commandment for being privy, as it is thought, and consenting to Mr. Wentworth's matter."

[4] Strype's Aylmer, 131, 132, 143, 144.

Archbishop; and that they who had ventured to sustain Mr. Morrice in the House — Sir Francis Knollys and Mr. Oliver St. John — seem to have escaped without even a reproof. Who, then, was "at the bottom" of these displeasures?

On the twelfth day of March, a bill "for reducing disloyal subjects to their due obedience" had its first reading.[1] It was a substitute for a bill which seems to have originated in the upper House on the twenty-fourth day of February.[2] The original bill, intensely cruel in its provisions,[3] had been artfully framed as against "*Recusants* in general,"[4] to compel them to the public worship of God as established by law, and to restrain them from worship in any other mode. Thus it had the appearance of being levelled only against the Papists.[5] On the next day (March 13th), the new bill had its second reading.[6] A strong disposition was now manifested, that it should unequivocally embrace "the Brownists and Barrowists, as well as the Papists"; but the Speaker declared that, the preamble and the body of the bill being compared, only Popish recusants could be comprised therein, but that another bill might be framed against other recusants. Whereupon the bill was recommitted.[7]

On the thirty-first day of March, — while the matter yet lingered in the hands of the committee, — a bill of the same general purport was brought in from the Lords "for the explanation of a branch

[1] D'Ewes, 498.
[2] Ibid., 461. Townshend, 38.
[3] D'Ewes, 476, 498. Townshend, 55.
[4] D'Ewes, 500.
[5] Hansard, I. 863.
[6] D'Ewes, 499. Townshend, 70.
[7] D'Ewes, 500. Hansard, I. 863.

of a statute made in the twenty-third year of the Queen's Majesty's reign, entitled, An Act to retain the Queen's subjects in their due obedience."[1] This bill, which seems to have been taken in lieu of the recommitted bill,[2] "made it *felony* to maintain any opinions against the ecclesiastical government";[3] and also provided for banishment in certain cases. Upon its second reading, it excited "divers speeches" in opposition, "some of them being of very good moment."

"In my conceit," said Sir Walter Raleigh, "the Brownists are worthy to be rooted out of a commonwealth. But what dangers may grow to *ourselves* if this law pass, it were fit to be considered. For it is to be feared, that men *not guilty* will be included in it. And that law is hard that taketh life and sendeth into banishment, where men's *intentions* shall be judged by a jury, and they shall be judges what another *means*. But that law that is against *a fact* is but just, and punish the fact as severely as you will. If two or three thousand Brownists meet at the sea, at whose charge shall they be transported, or whither will you send them? I am sorry for it, I am afraid there is near twenty thousand of them in England; and when they be gone, who shall maintain their wives and children?"

Mr. Finch objected most pertinently to several points. "There be great faults in the preamble and in the body of this bill. It pretendeth a punishment only to the Brownists and sectaries; but

[1] D'Ewes, 513.
[2] Birch, I. 94.
[3] Phelipps to Sterrell.

throughout the whole bill not one thing that concerneth a Brownist. If we make a law against Barrowists and Brownists, let us set down a note of them, who they are. But as the bill is, not to come to church, or to speak against the government established, this is not the opinion of the Brownists.[1] . . . . . This law, being allowed to be an *explanation* of 23 Elizabeth, maketh all the offenders in that statute to be traitors. This law excepts no person. So all are in the former penalties of that law; for the twenty-third of Elizabeth is only for such as are of the Romish religion, and now to make it include all the opinions is to make *additions* to that, but no explanations." The bill was then committed.[2]

It was at this juncture — so soon as it was known that the bill which, "by the bishops' means, did pass the upper House" was strongly opposed and would probably be frustrated by the Commons — that order was given in the Council-Chamber, where the Archbishop ruled the fate of ecclesiastical offenders, for the execution of Barrow and Greenwood.

On the sixth day of April, — the day of their death, — Sir Thomas Heneage, her Majesty's Vice-Chamberlain, reported, in behalf of the committee, that, after "long tarrying together, they had desisted without any determinable resolutions." He

[1] "Not *peculiar* to Brownists," we must understand him to mean. Otherwise his words are inexplicable; for they did not come to church, and did speak against its government. On the other hand, although the Presbyterian Puritans did go to church, they certainly spake and wrote against the ecclesiastical government established.

[2] D'Ewes, 517. Townshend, 76.

therefore moved that a conference be sought with the Lords "for the better effecting of a convenient law for meeting with the disordered Barrowists and Brownists, *without peril of entrapping honest and loyal subjects*"; language corresponding remarkably with that of the important letter of Phelipps to which we have so often referred. The motion of the Vice-Chamberlain was conceded;[1] a conference was had with the Lords; the "additions, subtractions, and alterations" propounded in committee were acceded to; and on the seventh day of April the bill so amended was passed in the lower House.[2]

From the complicated history of this bill, it is evident that the bishops — probably to save themselves from the odium of new prosecutions, and the temporal courts from the odium of further tortuous constructions of law — had in the original bill set a deadly trap for *all* the Puritans; that his Grace was provoked by the prospect of its defeat to the sudden sacrifice of the two who were under sentence of death; and that the bill received from the Lords was most materially changed by the Puritan Commons, who had no inclination to twine a halter for their own necks, or to enact measures of ultra barbarity against Protestant Separatists. We give an abstract of the bill as it was finally passed and enacted, suspending comment upon this action of the lower House until we shall offer some considerations upon the general legislation of the Puritans.

"An Act to retain the Queen's subjects in obedience: —

"Sec. I. . . . . If any person above the age of

[1] D'Ewes, 519. [2] Ibid., 520. Birch, I. 94.

sixteen years which shall obstinately refuse . . . . . to hear divine service established by her Majesty's laws . . . . . shall, by printing, writing, or express words, ... purposely practise . . . . . to persuade any . . . . . within her Highness's realms to deny, withstand, and impugn her Majesty's authority in causes ecclesiastical, ... or to that end shall advisedly and maliciously move or persuade any other to abstain from coming to church to hear divine service or to receive the communion according to her Majesty's laws, or to be present at any unlawful conventicles under color of any exercise of religion: . . . . . or, if any person which shall obstinately refuse . . . . . as is aforesaid . . . . . shall willingly be present at any such conventicles: . . . . . every such person so offending, and being thereof lawfully convicted, shall be committed to prison . . . . . until he shall conform and yield, ... and make such open declaration of such conformity as hereafter in this Act is appointed."

Sec. II. ordained that offenders convicted, but refusing for three months to conform, should abjure the realm forever and depart therefrom; and that if any such offender should refuse to abjure, or abjuring should refuse to depart, or after departure should return without her Majesty's license, he should suffer death as a felon.

Sec. III. enacted that offenders making open submission should be discharged from all penalties. It also prescribed the form of submission.

Sec. IV. provided that offenders relapsing should be punishable as before their submission.

Sec. V. enacted that any person harboring such

a recusant, after notice thereof to him given by authority, should forfeit, for every such person so harbored, ten pounds for every month of such harboring.

Sec. VI. provided that Sec. V. should not extend to the harboring of recusants within certain degrees of kindred, or to the harboring of any such committed to the harborer by authority.

Sec. IX. provided that *no Papist* recusant or married woman should be bound to abjure.

Sec. X. ordained that every person abjuring or refusing to abjure should forfeit goods and chattels forever, and his landed rights and possessions during his life; but that the wife should not lose her dower, that no corruption of blood should ensue, and that after his death his landed rights and possessions should revert to his heirs.

The Act concluded by a clause limiting it to the end of the next session of Parliament. But by the next Parliament it was renewed to remain in force until the close of the Parliament succeeding (which was the last under Elizabeth), and by that Parliament was again renewed.

Another Act was passed, — "An Act against Popish Recusants."

"For the better discovering and avoiding of all such traitorous and most dangerous conspiracies," said the preamble, "as are devised and practised against the Queen's Majesty and this Commonwealth by sundry wicked and seditious persons, who — terming themselves Catholics, and being indeed spies and intelligencers not only for her Majesty's foreign enemies, but also for rebellious and traitorous sub-

jects, ... and hiding their most detestable and devilish purposes under a false pretext of religion and conscience — do secretly wander and shift from place to place, ... to corrupt . . . . . her Majesty's subjects and to stir them to sedition and rebellion."

Sec. I. enacted, That all subjects or denizens above the age of sixteen years, being Popish recusants *convict*, should repair to their places of abode, and not go five miles thence, on pain of forfeiting their goods and the profits of their lands during life.

Sec. II. That those such, having no place of abode, should repair to the places of their birth or to the dwellings of their parents, and not remove thence above five miles upon pain of the like penalty.

Sec. III. That every offender against the requirements of *this* Act, who should have lands by copyhold, should forfeit the same for life to the lord of whom such lands were holden; or to the queen, if such lord were himself a recusant *convict*.

Sec. V. That offenders against the requirements of *this* Act, not having lands or goods to a specified amount, and refusing to conform, should abjure the realm; and refusing to abjure, or to depart having abjured, should suffer death as felons.

Sec. VI. That any suspected Jesuit, or Seminary priest, refusing to answer on examination, should be imprisoned until true answer made.

Secs. VII., VIII., IX. That recusants called to appear by process of courts, by her Majesty's Council or Commissioners, or to yield their bodies to

a sheriff, beyond the bounds assigned, should be exempt for so doing from the penalties of this Act.

Sec. X. That offenders against *this* Act should be discharged from its penalties upon making open submission as herein described.

Sec. XI. That offenders relapsing should be punishable as before submission.

Sec. XII. That women married should be subject to this Act *except as to abjuration.*

At first view, the letter of the first Act would seem to have comprised Popish recusants. But when we find, in the history of its progress in the lower House, that it was framed only against Protestant Separatists, and that the Speaker ruled that distinct bills should be brought in for each class of recusants; when we find also, that two Acts were passed, the first "against seditious *sectaries* and disloyal persons,"[1] the second "against Popish recusants"; and also, that the provision in the latter Act for "restraining Popish recusants *convict* to some certain places of abode" exempted them from the imprisonment prescribed in the former Act; and, still further, that in the first Act was an express provision (Sec. IX.) exempting Popish recusants from abjuration as therein required; — we are fain to conclude that the Act Chap. I. did not apply in any of its parts, was not intended to apply, and was never supposed to apply, to the class of recusants against whom *other* ordinances were passed by the twin-born Act Chap. II. In other words, that the dealings or-

[1] Preamble to 35 Eliz. Cap. I. were always at that time confounded "These two species of criminals together." (Hume, III. 190.)

dained against the Catholics were much more merciful than those against the Separatists; and that the latter would have thought themselves happy could they have evaded banishment by keeping within any five miles' area of their native land. Against this opinion, however, is to be weighed that of the highest authorities, — that the Act to retain the queen's subjects in obedience "helped to crush the unfortunate adherents to the Romish faith," "bearing equally hard upon the Puritans and upon the Catholics."[1]

At the close of the session, after the Lord Keeper had spoken, the queen herself addressed her Parliament as follows: —

"My Lords, and you my Commons of the lower House: Were it not that I know no . . . . . words delivered by any substitute can be so deeply imprinted into your minds as spoken by myself, ... I could be content to spare speech whom silence better pleaseth. . . . . Thus much I dare assure you, that the care which you have taken for myself, yourselves, and the common weal," in providing a supply, "you have taken for a prince that neither careth for any particular — no, nor life — but so to live that you may flourish. For, before God, I protest that the great expense of my time, the labor of my studies, and the travail of my thoughts

[1] Hallam, 129. Hume, III. 191. Neal, I. 205. Lingard, VIII. 321. Marsden, 204.

Mr. Marsden remarks (p. 203), speaking of the Act against the Separatists: "It is a mournful instance of panic legislation. Its provisions could not be enforced. .... One would gladly think that the law was intended merely as an empty menace." Yet to a certain extent its provisions were enforced, as I shall show. The law itself will fall under our review hereafter.

chiefly tendeth to God's service and the government of you to live in a flourishing and happy state. Many wiser princes than myself you have had; but (one only excepted whom in duty of a child I must regard and to whom I must acknowledge myself far shallow) none whose love and care . . . . . shall ever be found to exceed mine own; in love, I say, toward you and care over you.[1]

"The king of Spain doth challenge me to be the quarreller and the beginner of all these wars. He doth me the greatest wrong; for . . . . . I am persuaded in my conscience, if he knew what I know, he would be sorry himself for the wrong he hath done me. I fear not all his threatenings. . . . . I doubt not but (by God assisting me) I shall be able to defeat and overthrow him; for my cause is just. I heard say when he attempted his last invasion, that some upon the sea-coasts forsook their towns, fled up higher into the country, and left all naked and exposed to his entrance. I swear unto you by God, if I knew those persons, or may know of any that shall do so hereafter, I will make them know and feel what it is to be so fearful in so urgent a cause. The subsidy you give me I accept thankfully, having it of your good-will, and your preservation requiring it."

After the passing of bills, the Lord Keeper, by her Majesty's commandment, *dissolved* the Parliament.[2]

Very much more than "I and No" had been

[1] Stow, 765, 766.

[2] D'Ewes, 466, 467. Townshend, 48, 49. Hansard, I. 892.

said during the session, notwithstanding the limit set to free speech by her Majesty at the opening of the Parliament.

By its own limitation, the Act against Puritan recusants could take effect only upon such as might offend, in the particulars specified, "*after forty days after the end of this session of Parliament.*" Persons arrested on charge of having committed like offences on or before the nineteenth day of May were therefore to be tried under some previous statute, and were precluded from any benefit which might otherwise have been derived from this. Hence it was that Penry was tried, condemned, and executed *after* the nineteenth day of May, for what by this Act would have subjected him only to imprisonment and banishment.

Nor did the law touch the case of Mr. Cartwright. He still lingered in prison, treated with more rigor than his fellows.[1] They had occasional liberty upon bonds; but he, none. They were permitted to see "*all* their friends"; but he, only his "wife and such as had necessary business with him."[2] All this time, he had been suffering more or less from sciatica and other grievous sicknesses, induced by "lack of convenient air and by lying in cold prisons."[3] Even when he had prayed to go home on bail for a few days to lay one of his children in the grave, it was denied him.[4] We will not presume to say that he was thus anointed

[1] Strype's Whitgift, 370.
[2] Ibid., 71. Strype's Whitgift, Appendix, p. 155.
[3] Strype's Annals, VII. 66, 70.
[4] Marsden, 175.

with the oil of sadness above his fellows because his Grace still felt the sting of his pen. Yet one would suppose that a high-minded man, of a generous and unrevengeful spirit, having now a power but nominally below the queen, would have been careful, for his own name's sake, to err towards an old antagonist rather on the side of leniency than on that of severity.

We cheerfully concede that the Archbishop, by his influence with the queen,[1] may have procured the dismission of Mr. Cartwright's case from the Star-Chamber, and of his person from prison, "upon his general promise to be quiet"; in other words, "upon condition that he should neither write, nor preach, nor act in anything to the disturbance of the Church, either in reference to her government or forms of worship."[2] Though his opinions were unchanged, the fire of his ripe manhood had abated; he saw no hope of ecclesiastical reformation; he was grieved that his own principles had been drawn out into Separation, which he abhorred,[3] and was content to devote his waning life to the peaceful preaching of the Word and the humble duties of his Hospital.[4] Whatever motives may have influenced the Archbishop, and whether or not Lord Burleigh, supported "by a majority of the Council," who "had tender regards to sincere though intractable men,[5] was the prime and effi-

[1] Heylin's Presb., Book IX. Sec. 33.

[2] Ibid. Fuller, Book IX. p. 204. Strype's Whitgift, 370.

[3] Soon after he was summoned by Bishop Freke, "he drew up an able treatise against the Brownists." (Marsden, 173.)

[4] Fuller, Book X. p. 3.

[5] Hallam, 125. Lingard, VIII. 320.

cient mover, "on prudential considerations"[1] or on considerations of "humanity," for a release "which the harshness of the prelate had denied,"[2] one thing is clear, — Mr. Cartwright was not set at liberty until the executions of Barrow, Greenwood, and Penry had swollen high the tide of indignation against the prelates;[3] not until even the court had begun to feel ashamed of such severities to such men; and not, we suspect, until her Majesty, "in her gracious and tender compassion of their distressed state, had given *commission* to discharge *all*" prisoners for ecclesiastical causes.[4] He was, however, discharged from prison in this year, 1593, and probably in the month of June or the month of July.[5] He was permitted to resume his Mastership of the Hospital at Warwick, and to

[1] Waddington's Penry, 247. Again I regret that Dr. W. gives no authority for a statement of interest and importance.

[2] Marsden, 176.

[3] Hanbury, I. 82.

[4] Strype's Annals, VII. 191; Francis Johnson to Lord Burleigh, Jan., 1593–4. *He* was yet in prison, notwithstanding her Majesty's commission for deliverance.

[5] A word as to the time of Mr. Cartwright's discharge from prison. Mr. Marsden (p. 176) seems to date it in May, 1592. Dr. Waddington (Life of Penry, 84, 85) says it took place just before September, 1592. Dr. Palfrey (History of New England, II. 76) mentions it under date of 1591. Dr. Lingard (VIII. 320) says that Mr. Cartwright was confined but eighteen months.

It is true that Fuller (Book IX. p. 204) mentions his release under the running date of 1591. So also does Strype (Life of Whitgift, 370). But neither of them states when the release took place. Each mentions it *in anticipation*. This is evident, because we find a letter from Mr. Cartwright and others while yet in prison, and dated April, 1592 (Strype's Annals, VII. 120, compared with his note, p. 127); and because we also find a Petition to the Lord Treasurer from Cartwright and others while yet in prison, dated May, 1592. But Heylin, who in matters by which his spleen was not disturbed is generally good authority, states distinctly (Book IX. Sec. 33) that Mr. Cartwright was still in prison after the passing of the Act, — April 10th, 1593, — which "seemed chiefly to relate to the brethren of the Separation"·

preach.[1] He continued there during the rest of his days, with the exception of a short time which he spent in the island of Guernsey, in the year 1595, at the request of Lord Zouch, the Governor.[2] "Besides taking the most exact care of the Hospital, he often preached — without remuneration — at both churches on the Lord's day, and at one of them on Saturday."[3] He suffered extremely from acute diseases contracted in cold and damp prisons. Yet he pursued assiduously his great work, "The Confutation of the Rhemish Testament," rising at three of the clock in the morning, and studying upon his knees, as he was forced to do by his infirmities and pains, and preaching even when with the utmost difficulty he could only creep into the pulpit. On Sunday, — Christmas day of 1603, — "as if with something of a prophetic forecast," he preached from the text, "Then shall the dust return to the earth as it was, and the spirit shall return unto God who gave it." On the following Tuesday, with joyous views of heaven, he suddenly sank and breathed his last in peace, aged sixty-eight years.[4]

"In the early years of his public life, he was not free from the universal vices of his times, — intemperance and personality in controversy. But as age mellowed and persecution broke down his

and even after the death of Penry, on the twenty-ninth day of May. Again, speaking of Mr. Cartwright's death, he says it occurred in December, 1603, "about ten years after his enlargement." I have therefore adopted the date which he has given.

[1] Fuller, Book X. p. 2. Heylin's Presb., Book IX. Sec. 33.

[2] Strype's Whitgift, 434. Middleton, II. 333.

[3] Brook, II. 159.

[4] Ibid., 158 – 160. Middleton, II. 333 – 335.

spirit, a noble love of truth, a generous and forgiving temper, a contempt of suffering, and a fervent piety to God, break out with increasing lustre; and while learning, eloquence, and high talents, associated with exalted religious principles, — and these displayed with consistency through a long life of persecution, — shall continue to be revered, the name of Cartwright will be uttered by good men of every party with profound respect."[1]

The queen's lament for the execution of "the servants of God" found a hearty response from her more influential courtiers. The new statute against Puritan recusants enacted a substitute for the halter, except for refusing to abjure and for violating the oath of abjuration. Under these new influences of the law and the Court, the Commissioners no longer tried the skill of the judges at warping the former statute against the Papists, but guided the courts by the new Act. Although some few more, in different parts of the kingdom, were condemned and noosed under the gallows, yet timely reprieve was always at hand, and their hanging was commuted to banishment. No more of the Separatists were executed during the reign of Elizabeth.[2]

"Be a dissembler, a hypocrite, a devil if thou wilt; only come to church and obey the queen's laws," — was the language of the Commissioners to these men in their distress.[3]

[1] Marsden, 177, 178.

[2] Morton, 343. Hanbury, I. 83. Neal, I. 205.

[3] E. G. to John Smyth in Dec., 1593; Strype's Annals, III. 187, 188. Brook, II. 195.

Their answers were after this sort: "Imprisonments, indictments, yea death itself, are no meet weapons to convince men's consciences."[1] "As for dungeons, irons, close-prison torment, hunger, cold, want of means to maintain their families, these may cause some to make shipwreck of a good conscience, or to lose their life; but they are not fit ways to persuade honest men to any truth, or dissuade them from errors."[2] "If we did err, yet prisons and gallows were not fit means to convince and persuade our consciences."[3]

Thus did the Independents answer the profane demands and the cruel policy of the Commissioners. Thus did they continue steadfast in their principles. Thus did they prove themselves to have grown wiser than their teachers, — both of the Prelatic and the Genevan school. Thus did they battle with power, bear the reproach and scorn of bad men and of good, and stand unshielded, unweaponed, and unfriended in front of hot persecution. Thus did they stand, protest, and endure, for one great right, — Freedom to worship God.

Not long after the dissolution of Parliament, the queen, by commission, authorized "liberty to the captives and the opening of the prison to them that were bound"; a commission which was reluctantly and tardily executed.[4] By this authority, the jails were at length cleared of those whose

[1] The parting words of Penry to Justices Young and Fanshaw; Harleian Misc., IV. 348.

[2] The Separatist Church to the Lord Mayor of London; Waddington's Penry, 267.

[3] Francis Johnson to the Lord Treasurer Burleigh; Strype's Annals, VII. 190.

[4] Strype's Annals, VII. 191; Johnson to Burleigh.

ecclesiastical offences dated before the twentieth day of May, 1593. Francis Johnson was not set at liberty until after January 8th, 1593–4, and then only on the condition of perpetual banishment.[1] The liberty of others seems also to have been granted, subject to the same hard condition.

In June 1594, Bishop Aylmer died,[2] and the see of London was filled by Dr. Richard Fletcher, translated from the bishopric of Worcester. This prelate died the next year under the queen's displeasure for his taking a second wife, and while smoking tobacco,[3] "which was not usually taken in those days, unless physically or as *a melancholy companion*"! But during his brief administration he proceeded rigorously, and soon caused eighty-nine persons to be committed to prison for their religion, a few of whom were Papists. The others

[1] Neal and Brook say that Johnson was tried and condemned on the late Statute 35 Eliz., Cap. I. Possibly, for, as we have seen, the judges had wondrous skill at distorting statutes. Yet I think the statement doubtful; for the law evidently applied not to his case, his offence having been committed before the twentieth day of May. He himself urged this fact to Lord Burleigh; and also showed that he was not indictable by the Act 23 Eliz. (Strype's Annals, VII. 192–194.)

[2] Strype's Aylmer, 171.

I have expressed surprise (*ante*, Vol. II. p. 263, note) that Bishop Aylmer and Richard Hooker should have made *secret confession and received absolution* upon their death-beds. I should have been spared the surprise, had I then had before me "The Form of Ordering Priests," which contains the following: "The bishops and priests present shall lay their hands upon the head of every one that receiveth orders, ... the bishop saying, 'Receive the Holy Ghost; *whose sins thou dost forgive they are forgiven, and whose sins thou dost retain they are retained.*'" (Sparrow, 158.) To this clause I find members of the English Church do at this day as strenuously and openly object as did the Puritans in Elizabeth's day. See an interesting article, exhibiting the dissatisfaction of English Churchmen, in the New York Observer of August 2d, 1860, entitled "The Prayer-Book and Articles."

[3] Strype's Whitgift, 429, 430. Camden, 528.

were Puritan preachers who had failed of conformity in some trivial matters, and such others as had "frequented conventicles."[1] Upon this latter class the new Act was brought to bear; very many of whom, now and in years following, were forced to abjure the realm, forfeiting their goods and chattels forever, and their landed rights, if they had any, during life. Others of them went *voluntarily* into exile; preferring this, with all its sorrows, to the alternative of persecution at home.[2] Most of them, if not all, following the dying counsel of Penry, took refuge with Johnson in Holland; from whom issued the first colony, planted for religion's sake, on the shores of North America. Multitudes of this despised brotherhood still remained, however, in England, eluding as they best might the clutches of the new law. Some little time elapsed, — we have no clew to its length, — when those who remained at home, "greatly distressed through imprisonment and other great troubles," and those who were in exile, presented a *joint* Petition to the Lords of the Privy Council, that they might be permitted to migrate to her Majesty's possessions in Canada, an indefinite country in those days, but probably including the vast territory now comprised within New England, New Brunswick, Nova Scotia, and Newfoundland.[3] We have no record of

[1] Fuller, Book IX. p. 233. Neal, I. 208.

[2] Morton, 343, 344. Neal, I. 205.

[3] "The Humble Petition of her Highness's faithful subjects falsely called Brownists. Their humble suit to your Lordships is, that it would please you to be the means unto her Majesty to grant them license to pass peaceably into the Province of Canada, and there to inhabit, where they promise to demean themselves with all dutiful

any action taken by the Council upon this Petition; and it is intimated that they scorned it.[1] But we find that "many of them *were* banished to *Newfoundland*, where they were abused, and at last came into the Low Countries."[2]

Soon after the passage of the Act of 1593 against the Barrowists, the High Commission abated their

regard towards her Majesty as becometh her good subjects.

"To the Right Honorable the Lords of her Majesty's most Honorable Privy Council: Whereas we, her Majesty's natural-born subjects and loyal, now living many of us in other countries as mean exiles" — from — "her Highness's dominion, and the rest which remain within her Grace's land greatly distressed through imprisonment and other great troubles sustained only for some matters of conscience, in which our most lamentable estate we cannot in that measure perform the duty of subjects as we desire: And also, Whereas means is now offered for our being in a foreign and far country which lieth to the west from hence in the Province of Canada, where, by the Providence of the Almighty and her Majesty's most gracious favor, we may not only worship God as we are in conscience persuaded by his Word, but also do unto her Majesty and our country great good service, and in time greatly annoy that bloody and persecuting Spaniard about the Bay of Mexico: Our most humble suit is, that it may please your Honors to be a means unto her excellent Majesty that, with her most gracious favor and protection, we may peaceably depart thither, and there remaining to be accounted her Majesty's faithful and loving subjects, to whom we owe duty and obedience in the Lord. Promising hereby, and taking God to record who searcheth the hearts of all people, that wheresoever we be come we will, by the grace of God, live and die faithfully to her Highness and this land of our nativity."

I copy this Paper from "The New England Historical and Genealogical Register," Vol. XIII. p. 259. It was communicated to the Register by Samuel G. Drake, Esq., who "found it in the British State Paper Office, Domestic Series." The original is without date or signature. Mr. Drake conjectures that it was drawn up "soon after the Act of the 35th of Elizabeth, 1592," meaning 1593. My own opinion is, that it was not drawn up until 1594, at the *earliest;* because it is in part a petition of "*many exiles*," and I do not find evidence of such until Francis Johnson, at some time after January 8th, 1593–4, had gone to Holland.

Dr. Waddington gives the same Petition in his "Hidden Church."

[1] Waddington's MS.

[2] Morton, 346.

persecution of the Presbyterian Puritans. It is true, indeed, that, three years after, when the bishops had for the most part transferred ecclesiastical prosecutions to the temporal courts, the Lord Chief Justice Anderson did outrage common decency by his proceedings in ecclesiastical cases. Taking informations against the clergy from covert Papists denouncing preachers as knaves from the very bench; urging the grand jury to find a bill, under the late statute, against persons who had observed a day of fasting and prayer under the express allowance of their bishop; threatening to extend the statute to those who heard sermons in other parish churches, though they frequented their own; declaring himself to be, upon the bench, both ordinary and bishop; and uttering all these things with wrath and oaths and reproachful revilings;— he excited the disgust and indignation of all "persons of principal credit and note. 'I would to God,"—continues the writer from whom we derive these facts,—"I would to God it would please the Right Honorable Lords of her Majesty's Council to cause *an uniform interpretation of all the statutes for Church causes*, wherein the judges do differ in opinion. For want thereof, it cometh to pass that the self-same cause at the self-same time, in divers parts of the realm, is diversely, yea in effect contrarily, judged and enforced upon juries: the same cause, I say, without differing in any one circumstance, save only in the opinion and affection of the judges. And I would to God that they which judge in religious causes, though in the name of civil affairs, would either get some more knowledge in religion

and God's word than my Lord Anderson hath, or else might be assisted in all such causes by those who have."[1]

Notwithstanding these gusts from a passionate and overbearing judge, the storm of religious persecution lulled — as between Protestant and Protestant — through the rest of Elizabeth's reign. Each party abated its offensive zeal, and chiefly for the same reasons. The queen was now in her grand climacteric. Death, in all human probability, would soon rifle her sceptre; and, as was generally believed, would transfer it to James of Scotland. He was supposed to lean strongly towards Presbyterianism, having been educated under the straitest of the sect, and having publicly declared, in God's name, that the Presbyterian Kirk of Scotland was the purest Kirk under heaven, and that the service of the Church of England was but an evil-said Mass. Weary of persecution and of bootless strife, the Puritans were content to wait for the rising of that sun which they fondly hoped would come "with healing in his wings." The prelates, on the other hand, having the like expectations of his ecclesiastical predilections, were willing, by a cessation of their severities, to curry favor in anticipation with the same future sovereign.[2]

That this cessation of ecclesiastical strife and persecution was owing to the subjugation of the Puritans, the diminution of their number, or the

[1] Strype's Annals, VII. 367–372; letter from a clergyman in 1596 to a person of quality. Neal, I. 211, 212.

[2] Fuller, Book IX. p. 233; Book X. p. 2. Strype's Whitgift, 508, 520. Lingard, VIII. 322. Marsden, 248. Palfrey's History of New England, I. 124.

unpopularity of their cause, we cannot admit. True, their advocates at the Council board were diminished;[1] but it had been done by death. True, a large portion of the preachers still having charge "acquiesced," and perhaps cheerfully, "in the Established Church as then administered";[2] but the hundreds who had been ejected from their livings still remained in the land, — their opinions and purposes unchanged, — patronized and sheltered by nobility and gentry. If indeed "a very large proportion of those who at first favored the Puritan cause had gradually withdrawn from it,"[3] — some by death, some for change of opinion, and some from expediency, — yet we have reason to say that the cause, so far from having waned, had gained above its loss. Dr. Bancroft, in his sermon at Paul's Cross in the year 1589, complained, repeatedly and bitterly, that Puritanism was widely countenanced by men in authority. In the same year Dr. Cooper declared, that "the *most part* of men" and "*all inferior* subjects" were averse to Episcopacy, and proclaimed their aversion "at every table, in sermons, and in the face of the whole world."[4] In the year 1590, it was published broadcast, "that thousands did sigh for the Discipline, ten thousands had sought it, and that the most worthy men of every shire had consented to it."[5] Mr. Hallam indorses the opinion of Persons, the Jesuit, published in 1594, that the Puritan party was more generally favored throughout the realm than

[1] Marsden, 235.
[2] Ibid., 236.
[3] Ibid., 235.
[4] "Admonition," pp. 1, 25, 102, 111.
[5] Heylin's Presb., Book IX. Sec. 2.

the Prelatic. But he adds: "I do not quote these passages out of trust in Father Persons, but because they coincide with much besides that has occurred to me in reading, and especially with the Parliamentary proceedings of this reign. . . . . The Puritans, or at least those who favored them, had a majority among the Protestant gentry in the queen's days. It is agreed on all hands, that they predominated in the House of Commons; but that House was composed, as it ever has been, of the principal landed proprietors, and as much represented the general wish of the community when it demanded a further reform in religious matters, as on any other subject."[1]

But while prosecutions for non-conformity were abated, and non-conformity itself was less obtrusive, Puritanism in another form arrayed itself aggressively against the judicial assumptions of the prelates. They who had suffered from the lawless proceedings of the ecclesiastical tribunals, clergy, nobility, and gentry, — each class "too wise to subject their estates and liberties to a number of artful civilians," — woke up the old conflict between these and the common lawyers; remonstrating vigorously against the permission long allowed to the ecclesiastical courts to proceed irrespective of the laws and statutes of the realm, and without the check of prohibitions from the temporal courts. This reformatory crusade commenced, in the year 1598, by obtaining "Prohibitions out of the Common Pleas to stop proceedings, not only in the ordinary courts of the bishops and in the civil

[1] Hallam, note on pp. 115, 116

courts, but in the High Commission Ecclesiastical." This procedure caused great commotion among the bishops and the doctors of the civil law, and drew forth many "motions, discourses, and arguments from year to year." But the movers of these Prohibitions were successful, supported as they were by the clear and constitutional pre-eminence of the common to the canon law; and many causes were thus wrested from the courts of the bishops, and even from the queen's Ecclesiastical Commissioners. The number of Prohibitions increased from year to year during the remainder of this reign; the civilians sunk in business and in repute; the common law was once more instated in its own proper supremacy; and the people were relieved from numberless oppressions which had issued from the bottomless pit of laws having authority perilously uncertain and properties wondrously Protean. This was indeed a Puritan triumph.[1]

Thus — if our data be correct — Puritanism had lost nothing in numbers, in popular regard, or in courage. Prelacy had lost nothing of its spirit or of its power to persecute for *ecclesiastical* offences. Puritan and prelate — touching matters of conformity — alike rested and were at truce. They rested, for they were tired. They tacitly assented to truce, for to each it was politic. The dawn of the approaching century found them awake again, each girded for a new contest, and rejoicing, like a strong man refreshed, to run the race again.

[1] Strype's Whitgift, 521, 537 - 541. Neal, I. 212.

CHAPTER XVII.

THE CHRISTIAN SABBATH. — WILLIAM, LORD BURLEIGH.

OPINIONS OF CRANMER, COVERDALE, BULLINGER, CALVIN, AND QUEEN ELIZABETH RESPECTING THE CHRISTIAN SABBATH. — THE QUEEN'S EXAMPLE. — THE HABITS OF THE PEOPLE ON SUNDAYS. — THE CATASTROPHE AT SOUTHWARK. — ITS MORAL EFFECT UPON THE PEOPLE. — ACTION IN PARLIAMENT FOR THE BETTER OBSERVANCE OF THE SABBATH DAY. — THE EFFORTS OF SMITH AND OF GREENHAM FOR THE SAME OBJECT. — DR. BOUND'S BOOK UPON THE SABBATH. — THE NEW DOCTRINE GENERALLY RECEIVED BY THE PEOPLE. — OPPOSITION OF THE PRELATES. — LORD BURLEIGH'S BODILY INFIRMITIES. — HIS LAST SICKNESS, DEATH, AND CHARACTER.

1559–1599.

THE fathers of the English Reformation held tc an entire sanctification of the Christian Sabbath. Becon, chaplain to Archbishop Cranmer, published a catechism, which must have had his Grace's approval, in which he stated: "To keep holy the Sabbath day is not to cease from bodily labor that thou shouldst . . . . . give thy mind to gallant apparel, to banqueting, to idle talk, to vain pastimes, ... but that thou, setting aside all worldly businesses, shouldst the more freely apply thyself to read, hear, and learn the word of God, to pray in the temple with the congregation, ... and, casting away the works of the flesh, wholly exercise thyself in fruits of the spirit."[1]

Miles Coverdale, while Bishop of Exeter, distin

[1] Marsden, 242, note.

guished between the Decalogue and the Jewish ordinances added to it as by-laws. He declared that *each* of the Ten Commandments had existence and binding force before their proclamation from Sinai; and said particularly of the fourth, "The Sabbath did not the Lord here ordain first, but on the seventh day of the creation."[1]

So Henry Bullinger, of Zurich, — whose writings were adopted into the religious literature of Elizabeth's day, — held that the Sabbath was no Jewish institution, but one "that was of old ordained, and given first of all to the ancient fathers, and then again renewed by the Lord and beaten into the memory of the people of Israel." He says further: "The Sabbath is ceremonial so far forth as it is joined to sacrifices and other Jewish ceremonies, and so far forth as it is tied to a certain time. But in respect that on the Sabbath day religion and true godliness are exercised and published, that a just and seemly order is kept in the Church, ... it is perpetual, and not ceremonial. Now, as there ought to be an appointed place, so likewise must there be a prescribed time for the outward exercise of religion. . . . . They of the primitive Church, therefore, did change the Sabbath day, lest they should have seemed to have imitated the Jews and still to have retained their orders and ceremonies. . . . . They transgress this commandment that cease not from evil works, but abuse the Sabbath's rest to the provoking of fleshly pleasures. For they keep the Sabbath to God, but work to the Devil, in dicing, in drinking, in dancing,

[1] Marsden, 242, note.

and feeding their humors with the vanities of this world. . . . . They sin against this precept which either exercise any handy occupation on the Sabbath day, or else lie wrapt in bed and fast asleep till the day be almost spent. They offend in this precept that awe their servants to work, and by appointing them to other business do draw them from the worship of God."[1]

Calvin took low ground upon this subject, speaking of the Sabbath as "abrogated," to be used by Christians only as a remedy necessary for the preservation of order in the Church, for hearing the Word, for breaking the mystic bread, for public prayers, and to let servants and laborers rest.[2] "The pernicious influence of his views still infects the Continental churches."[3]

Queen Elizabeth and her ductile prelates took like ground. In the first year of her reign, she ordered that "all parsons, vicars, and curates, shall teach and declare unto their parishioners, that they may with a safe and quiet conscience, after their Common Prayer in time of harvest, labor upon the holy and festival days, and save that thing which God hath sent: and if, for any scrupulosity or grudge of conscience, men should superstitiously abstain from working upon those days, that then they should grievously offend and displease God."[4]

[1] Bullinger's Decades (Parker Soc.'s edit.), Vol. I. pp. 254, 259, 260, 262.

[2] Institutes, Vol. I. pp. 356 – 358 (edit. of Presb. Board).

[3] Marsden, 243, note.

[4] Injunctions by Queen Elizabeth, Article 20; Sparrow, p. 73. Bullinger so far allowed labor on the Sabbath, as that "liberty is granted in causes of necessity." ("Decades," I. 266.) "God doth dispense with us for the Sabbath, as often as any urgent necessity, or saving of a man, shall seem to require it. . . . . Why should it not be

So far as her example had influence, she encouraged her people not only to labor, but to merry-making, on the Lord's day; as during her visit to Kenilworth Castle, where she devoutly attended church on Sunday mornings to hear prayers and sermons, but indulged in "sports and pastimes as on other days in the afternoons."[1] The effect of the royal example was but natural. The queen gave an inch, the people took an ell, doing precisely what Bullinger describes as "working to the Devil." We cannot wonder, therefore, that so early as the year 1562 "the bishops were moved to observe what little regard was now-a-days had to the Lord's day, and how sparingly people resorted to church." We think it no marvel, that "the people commonly kept fairs and markets on this day, and other great festivals"; that "those that kept victualling houses, and artificers, admitted guests and opened their shops in time of divine service"; that "handicraftsmen would follow their works, and others go abroad about their worldly employments, on these as well as on other days."[2] Except during divine service, such occupations on Sundays were as much authorized by the queen's injunction as was the labor of the husbandman. "It was the custom" with the Protestant churches on the Continent — thanks in part to Calvin — for the people after divine service "to refresh themselves

lawful on the Sabbath-day to gather in, and keep from spoiling, the hay or corn which by reason of unseasonable weather hath lain too long abroad, and likely to be worse if it stay any longer?" (Ibid., 265.) But this is a "liberty" far more restricted than that allowed by the Injunctions of Elizabeth.

[1] *Ante*, Vol. II. p. 136, note.

[2] Strype's Annals, I. 532.

with bowling, walking abroad, or other innocent recreations";[1] and neither Queen Elizabeth nor her clergy had courage or principle to be *in advance* of the times. "Who is a carnal defender of the breach of the Sabbath in all places of his abode?" said Martin Mar-prelate. "John London. Who goeth to bowls upon the Sabbath, crying, 'Rub, rub, rub,' and then 'the Devil go with it!' when *he* followed *himself?* Dumb, duncetical John of good London."[2]

"I never withdrew myself from service or sermons on the Lord's day," replied his lordship. "Christ, the best expositor of the Sabbath, said that the Sabbath was made for man, and not man for the Sabbath. A man may have his meat dressed for his health upon the Sabbath, and why not have some convenient exercise of his body for the health thereof on that day?"[3]

With such royal and prelatic examples before them, the people not only betook themselves to the labors of husbandry, kept fairs and markets and opened shops and victualling-houses on the Sabbath, but indulged also on the same day in "shooting, bowling, cocking, bear-baiting, dancing, prizes of defence, wakes,[4] May-games, and all other such rude disports."[5] Theatrical performances, previously in low esteem, were now coming into repute, the stage

[1] Strype's Aylmer, 216.

[2] "Epistle," p. 26. Strype's Aylmer, 294.

[3] Strype's Aylmer, 215. Cooper's "Admonition," 43, 44.

[4] "Country feasts that used to be celebrated for some days after the next Sunday, or Saint's day, to whom the parish church was dedicated; still used in most parts of England." (Bayley's Dictionary, London, 1790.)

[5] Strype's Annals, VI. 298.

having made a true and great artistic progress. They were openly patronized by the queen, who in 1583 — just before Shakespeare became known — had her own select band of players.[1] These entertainments also had a large share of popular attention on the Sabbath days; accompanied by "much riot and intemperance."[2]

The people of London and its suburbs took great delight in those days in seeing dogs torment and lacerate bears, in seeing bears maim and crunch dogs. They would gather by thousands for what to them was sport; and, as every depraved taste has its mercenary caterers, bears were abundantly supplied and freely baited. There was a garden in Southwark, "commonly called Paris Garden," — a humanity school largely devoted to this purpose. It was surrounded by galleries or scaffolds, whence the people could view the bloody fray in security. On the second Sunday in January, 1583–4, the sport there was going on bravely. The hero of the day defended himself bravely against a score or two of fierce and well-trained dogs. The people were in ecstasy at his clumsy agility, his sullen courage, his bloody agony, and his murderous adroitness. In the height of the excitement, the shouts of applause were suddenly interrupted by a fearful crash, followed by cries and shrieks. A large part of the galleries had suddenly fallen, overburdened with the crowd, who were plunged in a terrific mass of misery below. Those not involved in the wreck, losing all presence of mind, fled at random, while

[1] Stow, 698.

[2] Strype's Annals, V. 495. *Ante*, Vol. I. p. 369

the sufferers lay piled in agony and terror, one upon another, and overwhelmed with rubbish. At length eight mangled and lifeless bodies of men and women were extricated, with four hundred others sorely crushed, some of whom soon died, and others were crippled for life. "A friendly warning," says one chronicler, then living, "to all such as more delight themselves in cruelty of beasts, to see them rend one another, than in works of mercy, which are the fruits of a true professed faith, and ought to be the Sabbath-day exercise; and not only a warning to works of mercy, but a watch-word to put us in mind how we violate the Sabbath day, ... falsifying the glorious title of Christians in our odious actions." [1]

This accident made a profound impression upon the public mind. Occurring on Sunday, it seemed to many a special token of God's displeasure for the desecration of holy day. The public conscience, once aroused, was not readily appeased. This is evident from the action of the Parliament of 1584–5, which convened about nine months after the Southwark tragedy. The very first bill read in the House of Commons was "for the better and more reverent observing of the Sabbath day." [2] After being sent to the Lords, it was amended again and again,[3] but finally passed both Houses.[4] At the close of the Parliament, Mr. Speaker Puckering emphatically commended this bill to her Majesty, urging that by her assent it might become a vitalized

[1] D'Ewes, 663. Holingshed, IV. 504. Stow, 696. Fuller, Book IX. p. 165.

[2] D'Ewes, 333.

[3] Ibid., 315 – 369, *passim*.

[4] Ibid., 322, 369.

Act, and adding as a radical reason, that her Parliament, "persuaded that all good laws of men ought to be grounded upon the *eternal* law of God, expressed in the two tables of the *Ten* Commandments, ... had thought it their parts to go forward, and, providing for the *rest* and right use of the Sabbath day, to provoke her Majesty to give law concerning the *fourth* commandment."[1] But her Majesty, notwithstanding, refused her assent to the bill, "upon that prejudicated and ill-followed principle, (as may be conjectured,) that she would suffer nothing to be altered in a matter of religion or ecclesiastical government."[2] We cannot but regret that the particular provisions of this bill must probably remain forever unknown.[3]

But this was not the end of the subject. There was a Court of Appeal, — the popular conscience; and to this court an appeal was promptly made.

The first appellant was Richard Greenham, a Fellow of Cambridge, a devoted preacher, and an exemplary Christian. About this time, he published a treatise upon the better observance of the Christian Sabbath, which made a great impression "throughout the whole realm."[4]

This impression was not suffered to wane. In the year 1595, Dr. Nicholas Bound, a man who

[1] Strype's Annals, V. 428, 429.

[2] D'Ewes, 322, 323. *Ante*, Vol. II. p. 482.

[3] Sir Simon D'Ewes sought for the Paper in vain on the eighth day of October, 1629. (p. 325.)

[4] Fuller, Book IX. pp. 219, 220. I have no means of judging when this book was published; but think it probable that it made its appearance after the movement in Parliament upon the same subject. Unless posthumous, — which is improbable, — it must have been printed before the year 1592, for in that year Mr. Greenham died.

had been punished for his Puritanism,[1] also published a book upon the same subject, and which was the means of a great and lasting reformation. His position was, "that the fourth commandment, like the others of the Decalogue, was moral and perpetual"; meaning that it was given, not for the Jews, but for *man*, having, like the other commandments of the two tables, its foundation in his moral necessities and relations. From this premise he concluded, that "Christians are as straitly bound to *rest* upon the Lord's day as were the Jews to rest upon their Sabbath"; that this rest should be "a most careful and exact rest" from all studies or other worldly business, from all conviviality, from all recreations and amusements lawful on other days, and even from all conversation upon worldly affairs. He carried his inferences to such an extreme as to specify that one bell only should be rung (in a given place) on the Sabbath to notify the people of the time for divine service; arguing, doubtless, that the ringing of an unnecessary number was unnecessary labor. Singularly enough, — if we may credit the testimony of historians more or less partisan, — while specifying feasts as unlawful on the Sabbath, he made an exception of indulgence in favor of "lords, knights, and gentlemen of quality"; an exception which some thought "not fair dealing."[2] Dr. Bound seems to have considered that the Jewish ceremonials and by-laws which were *appended* to the fourth commandment had no binding obligation under the Chris-

[1] Brook, II. 171.

[2] Fuller, Book IX. p. 227. Heylin's Presb., Book X. Sec. 2.

tian dispensation; but had been abrogated, together with the whole ritual of the Jewish Church, when our Saviour "took out of the way the handwriting of ordinances, nailing it to his cross." The Sabbath itself, however, he regarded as still existing, because founded in principles and relations still existing. Doubtless he attenuated his deductions in some particulars unwarrantably; and some statements which are charged to have been made by his disciples, if understood literally, were certainly extravagances, if not "extravagant nonsense."[1] His main doctrine, however, was right and tenable. It commended itself, therefore, to the consciences of the people, who saw at once the salutary fitness of the commandment to their own infirmities, spiritual and bodily.

"Men were suddenly induced, not only to give way to this doctrine, but to abet it," says Heylin, "till in very little time it grew the most bewitching error, the most popular infatuation, that ever

[1] Heylin says that it was preached in one place, "that to do any servile work on the Lord's day was as great a sin as to kill a man or commit adultery"; at another place, "that to throw a bowl on the Lord's day was as great a sin as to kill a man"; at another place, "that to make a feast, or dress a wedding dinner, on that day, was as great a sin as for a father to take a knife and cut his child's throat"; and at another place, "that to ring more bells than one on the Lord's day was as great a sin as might be" (Heyl. Presb., Book X. Sec. 2); — "as great a sin as to commit murder," adds Dr. Collier. (VII. 183.) Fuller, I perceive, does not condescend to notice these extravagant comparisons; which must have been either because he had not heard of them, did not believe that they were ever preached, or viewed them as I do. If indeed they were ever made, their *form* should be regarded as rhetorical; and their simple meaning doubtless was, that, so far as wrong towards *God* only is concerned, it is as great a sin to transgress one command of the Decalogue as to transgress another, — a doctrine which few, if any, will be disposed to controvert.

was infused into the people of England." A great reformation followed; in which the Puritans were the most forward and exact. Instead of passing the afternoons of the Lord's days in fencing, bowling, shooting, May-games, morris-dances and other like sports, the people for the most part laid these things aside, and began to devote the entire day to sober rest, or to devotional exercises in public, in the family, or in private. Thus, what Lords and Commons could not do, in that they were weak through the queen, a few devout Puritans had done. Simply removing the veil which had so long covered the law of the Sabbath, and pointing the people to its unmistakable words, they secured a more healthful and stable reform than it was possible for Parliament to effect. Instead of sullenly yielding a more reverent observance of the Sabbath under the compulsion of a statute, "the people became a law unto themselves, yea, rejoiced in their own restraint"; and their precise keeping of the Lord's day — the more profitable because cheerful — was perfectly consistent with the largest religious liberty. Hitherto, all classes had borne the godless yoke of unremitting appliance to their several avocations, or suspended them, on holidays, only for athletic or brutalizing recreations, which amused but did not refresh. Lacking stated seasons devoted to rest and to religious profit, their domestic enjoyments had been curtailed, their bodily powers had been overtasked by toil, and their mental by carking care, and they had suffered still greater harm from demoralizing pastimes and lack of religious culture. But now — allowing them-

selves the liberty of the Christian Sabbath — they secured refreshment for mind and body, statedly received spiritual food, one day out of seven enjoyed their homes free from study or labor, withdrew from the debasing influences of the tap-room and the bear-garden, and from the questionable assemblages on the green, and returned refreshed and bettered to the business and toil of another week.[1]

The Puritans, and perhaps some others, thus hallowed the Lord's day from a principle of obedience to the will of God; holding that the Sabbath law was designed alike for his honor and for the good of man. Others regarded the fourth commandment as a Jewish law only; yet they acquiesced in the new movement, because they saw and appreciated its social, moral, and religious benefits to "all sorts of people."

A third class, with Archbishop Whitgift at their head, threw themselves into collision with this general reform. They exclaimed, that the new doctrine "was galling men's necks with a Jewish yoke, against the liberty of Christians; that Christ, as Lord of the Sabbath, had removed the rigor thereof, and allowed men lawful recreations"; — a singular objection for men who were habitually infringing

[1] Dr. Taylor (II. 79) calls the Sabbath doctrine of the Puritans a "Calvinistic Sabbatarianism"; whereas Calvin's notions about the Sabbath were at least as lax as those of the English prelates. He also says, "The experience of Puritanical rigor has shown how severely a Judaical observance of Sunday interferes not only with the enjoyments and comforts, but with the health and morals, of the laboring population"; — an impeachment of God's wisdom and benevolence to which I choose not to respond. I prefer to believe and to say, that even the Judaical Sabbath, which God himself instituted, was something better than such a curse.

Christian liberty by imposing yokes which had no mention in the Bible. Their true reasons seem to have been, that the movement had a Puritan origin, and that it tended, by magnifying the Lord's day, to bring "into eclipse all other holy days, to the derogation of the authority of the Church." Indeed, Dr. Bound had expressly said in his treatise, — "I see not where the Lord hath given any authority to his Church ordinarily and perpetually to sanctify any day except that which he hath sanctified himself." Finding that this doctrine "took deep impressions upon men's minds, the bishops took cognizance of it in their courts, and cited several ministers for preaching it." Soon after its popularity had become evident, Archbishop Whitgift called in all the books in which it was advocated, and forbade any more of them to be printed. These orders he repeated in the year 1599; and in the next year, the Lord Chief Justice Popham did the same from the bench. Each of them declared that this Sabbath doctrine disagreed with the doctrine of the Church and with the laws and orders of the realm, disturbed the peace of both, and tended to sedition and schism! These measures defeated their own end. Dr. Bound's book was the more eagerly sought and read. Many who had not heard of it were advertised of it by the prohibitions, and inquired for it; and because the press was closed against it, copies were transcribed to meet the demand. Immediately upon the Archbishop's decease, a second edition was issued and openly sold; and from that time for many years, rarely was a religious pamphlet or a

catechism published "by the stricter divines, in which this doctrine (the diamond in this ring) was not largely pressed and proved; so that the Sabbath itself had no rest."[1]

Such was the resurrection of the Sabbath day in the Reformed Church of England. We will not venture to say, of the Sabbath day in its true evangelical simplicity; for human infirmity doubtless intermingled, more or less, with what was true and divine. Its immediate effect — combined with that of prelatic opposition — was to alienate from the Established Church many hitherto its attached friends, but henceforth, and on this one Biblical ground, sympathizing with the Puritanical party;[2] and it soon came to pass that "a rigid or lax observance of the Lord's day was the sign by which, above all others, the two parties were distinguished."[3] The more remote effects of this Sabbatarian reformation were beyond the date to which our present narrative is limited. But this we may say, in passing, that to this day New England thanks God for countless social blessings inherited from the Puritan exegesis, in the evening of Elizabeth's reign, of the fourth command of the Decalogue, — blessings disturbed and abated only so far as foreign and atheistical elements have been thrust upon us.

In Lord Burleigh's "Memoria Mortuorum," we

[1] Fuller, Book IX. pp. 227 – 229. Strype's Whitgift, 530, 531. Neal, I. 208, 209. Brook, II. 171 – 173. Collier, VII. 182 – 184. Marsden, 240 – 243.

[2] Heylin's Presb., Book X. Sec. 4 Marsden, 243.

[3] Marsden, 242.

find the following affecting record: "1589. 7. Apr. *die veneris obdormivit in Domini, Mildreda Domina Burleigh, uxor mea.*"[1] He felt this bereavement most keenly, for she was a lady eminent for piety beneficence, and amiability, and had cheered and sustained him through the varied perplexities of forty-three years. Six years before this sorrow, provoked probably by some "rumors" against his integrity, he had petitioned her Majesty that he might resign his office and retire from court. With much good sense and some pleasantry, she had refused his petition and soothed his resentment.[2] In 1591, he again proffered a like petition, prompted by better reasons; for when the prop upon which he had so long leaned was taken away, he wearied under the burdens which remained, his spirits drooped, and he longed for that rest which he could find only in private life, and for those religious studies which more than ever he craved.[3] But now, as before, appreciating the value of his counsels, and not knowing where to find his equal,[4] Elizabeth waived his overture with such expressions of attachment, and such appeals to his loyalty, that she again prevailed.

Rallying his courage and strength, Elizabeth's long-tried counsellor threw a veil over the grief which he could not suppress, and resumed the arduous duties of his station. Seven years more he struggled against increasing bodily infirmities and increasing cares of State.[5] But about the mid-

[1] Murdin, 746.
[2] Strype's Annals, V. 240, 241.
[3] Ibid., VII. 108.
[4] Ibid., V. 240.
[5] See his letters to Sir Robert Cecil; Wright, II. 426, 427, 430, 461, 465.

dle of May, 1598, his strength so far failed that he was obliged for the most part to retire from Court, alternating his residence between his house at Theobalds and his house in London, and occupying himself in the study of the Scriptures and in devout exercises. Again he prayed the queen for a complete discharge from the cares of his office. "She visited him now and then, comforting him with kind and loving words";[1] but could not be persuaded to yield her claim to the counsels of her old and faithful servant.

The venerable statesman was now almost seventy-eight[2] years of age. Perpetual cares, bodily labor by day and by night, and almost constant vexations of spirit during a public life of half a century, to which severe disease and growing infirmities were added, had bleached his hair and beard to the whiteness of the driven snow, but had neither impaired the powers of his mind, the reverence of his presence, his calm and serene deportment, or his "well-favored visage."[3] Rarely, and only of late years, had acute pain taken by surprise "his natural gentle disposition," and betrayed him for a moment into "sharp words." On the third day of August he lay in a spacious apartment in his house by the Strand, where he had been prostrated by mere weakness about ten days.

"My lord," said one of two or three physicians who stood by his bedside, "you have no ague or fever. The pain in your chest is the only dis-

[1] Camden, 557. Echard, 888.
[2] Wright, II. 485; Burleigh to Robert Cecil, in September, 1597.
[3] Camden, 557. Echard, 888.

tinct symptom which we find, and we think it but a creeping of the gout with which your lordship hath been so long troubled. It is slight and intermittent, and therefore doth not alarm us. We find no distemper in your pulse or body. With so good a temper of body, your pulse and senses so perfect, it is impossible that you should be heart-struck. We can therefore assure your life."

"The will of the Lord be done. Truly I have great abundance of worldly good to enjoy; yet I desire not life, but rather death, the gate to heaven, whensoever it shall be God's pleasure."

This conversation occurred at six o'clock in the evening, and his lordship lay quiet an hour after, when he suddenly "fell into a convulsion like to the shaking of a cold ague." When the fit had subsided, he crossed his quivering hands upon his breast, and whispered, looking upward, with the shadow of a smile, "Now — the Lord be — praised! The time — is — come!"

After a short pause to recover strength, he called for his children, gave them his blessing and his farewell, exhorted them to live in the fear and service of God, and concluded by saying, with great earnestness of tone and look, "*My children, my children,* LOVE ONE ANOTHER!"

He then betook himself to God in behalf of the queen, that she might long be spared to her people and finally depart in peace. Then, turning to one of his chaplains who were present, he said, "Now must I care for myself. Give me the parchment you wot of, and call Mr. Bellot."

"Here is my will, Mr. Bellot," when his steward

appeared. "Take it. I have made you one of my executors. I have always found you true to me, and now trust you with all."

"My lord," said the weeping steward, "I accept the trust and will fulfil it. But now I pray your lordship, as you have lived religiously, so now repose yourself upon your Saviour Christ, by whose blood you may have forgiveness of sins."

His chaplains made like appeals, which he heard quietly to the end, when he replied, with a placid smile, "My friends, this I have already done; and this I now do. And I am assured that God hath forgiven my sins, and will save my soul. Mr. Thompson," — one of his chaplains, — "pray for my departing spirit; and let all this company" — there were about twenty in the apartment — "join therein."

The chaplain then read a prayer which he had prepared in anticipation, which was solemnly repeated word for word by children, friends, and servants, and by Lord Burleigh himself.[1] He then lay quietly, too weak for further conversation, but occasionally murmuring brief prayers, until midnight, when his speech sometimes failed him. But whenever he could command it, he could be heard feebly ejaculating, "O, what a heart this is that will not let me die!" — "Come, Lord Jesus!" — "One drop of death, Lord Jesus!" His last words were, "Lord Jesus, receive my spirit!" — "Lord, have mercy on me!" From that time, he seemed to be unconscious and without pain until eight o'clock in the morning, when "he went away so

[1] This prayer is left on record by Strype; Annals, VII. No. CCXLIX.

mildly, and looking so sweetly, that, though many watched to see when he should die, it could scarce be perceived when the breath went out of his body."[1]

Thus died William, Lord Burleigh, in the fulness of a good old age, and wearing that peculiar crown of glory which the wisest of monarchs has commended;[2] as a statesman, a counsellor, a magistrate, for wisdom, integrity, gravity, and industry, the coryphæus of his day. His counsel was always demanded by the queen before deciding upon any measure of state policy; and rarely did she grant any private suit without his consideration and approval.[3] Although sometimes petulant toward him, sometimes jealous, and sometimes unreasonably offended, it was her habit to treat him with marked deference; a distinction which at one time so roused the envy of certain courtiers, that they plotted against his life, and were upon the point of securing his imprisonment, when he was saved — upon his own application — by the timely intervention of his royal mistress.[4] Abroad, he was accounted the greatest statesman in Christendom; reverenced by friendly princes, feared and hated by those who were unfriendly. At home he was

[1] With the exception of those points upon which I have given other references, I derive my account of Lord Burleigh's last days from what is entitled "The Complete Statesman, exemplified in the life and actions of Sir William Cecil, Lord Burleigh; written by one who had lived in the house with him during the last twenty-five years of his life," — probably one of his gentleman domestics. It occupies Book I. of Peck's "Desiderata Curiosa," and was first published in that work.

[2] Prov. xvi. 31.

[3] Peck, Vol. I. Book I. 22.

[4] Fuller's "Holy State," 268 Lloyd, 476. Camden, 122. Peck, Vol. I. Book I. 15–17.

honored for his uprightness, impartiality, and integrity.[1] The petition of the poor man ever received the same patient attention and courteous answer as that of the rich. These honored him, those prayed for him; the bad feared him, the good loved him; and nearly all, admiring his sound judgment, his unwearying patriotism, and his sturdy uprightness, were wont to style him "The Father of the Commonwealth."[2]

In 1580, the Earl of Sussex wrote to him as follows: "The true fear of God which your actions have always showed to be in your heart; the great and deep care which you have always had for the honor and safety of the Queen's Majesty's most sacred worthy person; the continual trouble which you have of long time taken for the benefiting of the commonwealth; and the upright course which you have always taken, respecting the matter and not the person, in all causes; . . . . . have tied me to your lordship in that knot which no worldly frailty can break."[3] This is perhaps the noblest tribute to Lord Burleigh's worth which we have on record; for, though addressed to him personally, it was no flattery, but the honest effusion of a high-minded soldier and nobleman, who never cringed to peer or prince.[4]

The last words which Lord Burleigh wrote — the writing showing how tremulous was his hand — were addressed to his son Robert, then Secretary of State and the immediate successor of the

[1] Peck, Vol. I. Book I. 25.
[2] Ibid., 19, 20.
[3] Lodge, II. 229.
[4] See *ante*, Vol. II. pp. 323–326, and notes.

unfortunate Davison.[1] They are equally indicative of his loyalty and piety:[2] "Serve God by serving of the queen; for all other service is indeed bondage to the Devil."[3]

"When," wrote one of his contemporaries, "when shall our realm see such a man, or when such a mistress have such another servant! Well might one weep when the other died."[4] When she first heard of the death of the faithful servant who had held the helm of State from the moment of her accession, and had been her discreet counsellor in her previous days of sorrow and peril,[5] Queen Elizabeth *did* weep, "taking her loss very grievously, and separating herself from all company."[6] Nor was this a momentary grief. Months and years afterwards, the queen would "speak of him with tears, and turn aside when he was discoursed of."

[1] Lodge, III. 19, note; 25.

[2] We have the following statement from Sir John Harrington. "When my Lord Treasurer did come in from prayers, Sir Francis Walsingham did in merry sort say, that he wished himself so good a servant of God as Lord Burleigh, but that he had not been at church for a week past. Now my Lord Burleigh did gravely reply thus: 'I hold it meet for us to ask God's grace to keep *us* sound of heart who have so much in our power, and to direct us to the well-doing of all the people, whom it is easy for us to injure and ruin. And herein, my good friends, the special blessing seemeth meet to be discreetly asked and wisely worn.' I did not a little marvel at this good discourse; to see how a good man considereth his weighty charge and striveth to keep out Satan from corrupting the heart in the discharge of his duties. How few have such hearts or such heads! and therefore shall I note this *for those that read hereafter*." (Nugæ Antiquæ, I. 174, 175.)

Indeed 'how few'! And how few, in the service of the State, find thus the secret of true greatness and success!

[3] Strype's Annals, VII. 480. Wright, II. 488; who gives us a *fac-simile* of this interesting letter.

[4] Harrington; Nugæ Antiquæ, I. 173.

[5] Camden, 558.

[6] Birch, II. 390; Sir William Knollys to the Earl of Essex.

At one time, she even forbade his name to be mentioned at the Council table.[1]

We have reason to believe that others also mourned his loss, and paid to his memory the silent tribute of their tears. We mean the Puritans, whom he had so often screened from the severities of the prelates, or released from bonds and imprisonment, — they, their wives, and their children.

"He was one of the few who have lived and died in glory."[2]

[1] Nugæ Antiquæ, I. 244; Robert Markham to Sir John Harrington, 1598–9. Ibid., 314; Sir Robert Sidney to Sir John Harrington, in 1600.

[2] Echard, 888.

CHAPTER XVIII.

THE PARLIAMENT OF 1601.

THE DISCONTENTED HUMOR OF THE COMMONS AT THEIR ASSEMBLING. — AGGRAVATED BY THEIR EXCLUSION FROM THE UPPER HOUSE AT THE OPENING OF THE PARLIAMENT. — A NEW OFFENCE. — THE SPEAKER'S PETITIONS AND THE LORD KEEPER'S ANSWER. — IRREVERENCE OF THE COMMONS TOWARDS THE QUEEN. — THE TRUE REASON FOR THEIR EXCLUSION. — MONOPOLIES, THE REASON OF THEIR INCREASE. — EXTORTIONS UNDER THEM. — A BILL INTRODUCED AGAINST THEM. — DEBATE UPON IT. — IT IS COMMITTED. — A NEW DISCUSSION. — THE SUBJECT POSTPONED. — A NEW BILL INTRODUCED. — ANOTHER DEBATE. — THE SUBJECT RECOMMITTED. — BOLD PROPOSAL IN COMMITTEE. — THE HOUSE AGAIN EXCITED. — THEIR BOLD AND NOVEL COURSE. — MESSAGE FROM THE QUEEN. — CECIL'S EXULTANT COMMENTS UPON IT. — REJOICING OF THE HOUSE. — THEY TENDER THEIR THANKS TO THE QUEEN IN A BODY. — HER MAJESTY'S REPLY. — BILLS FOR THE SUPPRESSING OF IMMORALITIES. — BILLS CONCERNING THE SABBATH. — AN ATTEMPT TO STIFLE FREEDOM OF SPEECH STIFLED.

THE portal of a new century was opened. The most varied and momentous events produced by any century of which we have history were wrapped within it all along to its farther extremity, unsuspected by the generation who stood upon its threshold, although signs of their coming and character were already floating in the air. Principles adverse to despotic monarchy and priestly domination, crude but vigorous ideas of civil rights, and a peculiar detestation of the Man of Sin, had taken root in the English mind, and were impelling it to results — though at terrible cost — which have made the Northern Isle the queen among nations, the admiration of her rivals, and a blessing to the world.

It has been our humble task to trace, we trust not inaccurately, the progress of these various but blended elements from the point of their first emergence to that where they had become a well-defined, augmenting, but as yet a controllable stream; destined, however, first to inundation, then to fertility. We follow it only for another day's journey.

The tenth and last Parliament of Queen Elizabeth was opened in the year 1601, on Tuesday, the twenty-seventh day of October. The Commons came together in a gloomy mood. The people throughout the realm were chafing under oppressions emanating from the royal prerogative, and the representatives sympathized with their constituents. Even before the House could be organized, this temper was fanned. They had taken the customary oath, some before the Lord Steward, — now the Lord Admiral Charles Howard, Earl of Nottingham, — others before his deputies. The customary notice being given, that she awaited her Commons, they immediately went to the chamber of the Lords, but found the door closed against them; "and notwithstanding any means that was made by them, it was still kept shut." Indeed, they were told by a gentleman usher, who spake to them through the door, "An ye be not quiet, ye shall all be set in the stocks."[1] "So they returned back again unto their own house much discontented," and "taking it in great disgrace." A few of their number, however, including those who were of her Majesty's Privy Council, had obtained private entrance to the

[1] Townshend, 182.

upper House "by some special means," and had heard the opening speech of the Lord Keeper Egerton, which soon after was reported to the House by Mr. Secretary Cecil.[1]

When all who had obtained entrance to the upper House returned, Mr. John Crooke, Recorder of London, was chosen Speaker, and the House dispersed until Friday, the day fixed for his presentation. They then reassembled, and "having stayed there a good while silent," and receiving no message from her Majesty, they went to the door of the upper House, where they were kept waiting half an hour before they were sent for; another incident which added to their discontent.[2]

In reply to the usual petition for freedom of speech, the Lord Keeper said: "Her Majesty willingly consenteth thereto, with this caution, that the time be not spent in idle and vain matter, painting the same out with froth and volubility of words, whereby the speakers may seem to gain some reputed credit by emboldening themselves to contradiction."

To the petition for personal liberty, — by which was meant that "the members of the Commons, with their servants and necessary attendants, might be exempted from all manner of arrests and suits during the continuance of the Parliament," [3] — the Lord Keeper replied: "For liberties unto yourselves and persons, her Majesty hath commanded me to say unto you all, that she ever intendeth to pre-

[1] Townshend, 182–185. D'Ewes, 623. Hansard, I. 911.
[2] Townshend, 175. D'Ewes, 600, 621.
[3] D'Ewes, 16.

serve the liberties of the House, and granteth freedom even unto the meanest members thereof. But her Majesty's pleasure is you should not maintain and keep with you notorious persons either for life or behavior, and desperate debtors who never come abroad, fearing laws, but at these times; pettifoggers and vipers of the commonwealth; and common solicitors that *set dissension* between man and man; and men of like condition to these."[1]

Room was now made for her Majesty to pass through the Commons to the great chamber. In doing so, she silently offered her hand to the Speaker, who kissed it. A few voices only said, "God bless your Majesty!" though upon such occasions heretofore not a tongue withheld the salutation. The crowd affording insufficient room, her Majesty waved her hand that they should recede, and one of the gentlemen ushers cried out, "Back, masters! make room!" "We can make no more," replied a sullen voice in the rear, "an you will hang us." Her Majesty raised her head and looked whence the voice proceeded, but affected not to hear and passed on.[2] These were strange tokens of ill-humor; but little knew these Commoners why their aged queen, striving to appear hale, could not address their Speaker or rebuke the rudeness which she had heard. Little did they suspect what an effort it cost her so to pass through their midst that her tottering weakness might not appear.

The true cause of their exclusion at the opening of the Parliament was undoubtedly concealed from

[1] Townshend, 177, 178. D'Ewes, 601, 602. Hansard, I. 909.

[2] Townshend, 178, 179. D'Ewes, 602.

the Commons, for her courtiers well knew that she wished to veil her growing infirmities. Age had so enfeebled her, that she was ill able to bear her heavy robes of state. It had so happened, that, just as the Commons were approaching to hear the Lord Keeper's speech, she sank from her throne, and would have fallen had she not been caught in the arms of the nobleman who bore the sword of state. The Lord Keeper, however, had proceeded with all haste, that her Majesty might get into the open air as soon as possible. During this state of things, while all was confusion, and while all were anxious for the queen, the door had been shut; and those within had thought of anything else than of those who stood waiting and grumbling without.[1]

After they had fairly moved in the prosecution of business, Mr. Lieffe, reminding Sir William Knollys of his promise, called for information of the Lord Keeper's speech. He also complained of the violence perpetrated by an usher of the House of Lords. Mr. Comptroller gave a vague pledge that any particular member should receive satisfaction for the rough words of the usher, and referred to Mr. Secretary Cecil for the other matter. The Secretary then gave a summary of the Lord Keeper's speech; the two chief points being the danger of the realm through the malice of Spain, and the necessity for money to furnish means of protection.[2]

The reign of Elizabeth — during the long term

[1] Campbell, II. 187.
[2] Townshend, 182–185. D'Ewes, 623. Hansard, I. 911.

of forty-two years — had been one of unprecedented activity and progress. Besides the awakening of the national mind to the rudiments of religious and civil liberty and to new literary conceptions, the pressure of events from within and from without had elicited a vast amount of skilful and laborious service in affairs of state and in military operations. These latter developments had laid the crown under obligations to so large an extent, that remunerations and encouragements were required other than could be afforded by the ordinary emoluments of office. Elizabeth had also her favorites, hungry and importunate for bounty. For all this her revenues were insufficient. To meet the exigency she had resorted, almost without limit, to an expedient far more irritating and oppressive than direct taxation or forced loans. This was the issuing of letters patent,[1] which gave private persons the

[1] I have made no mention of the Parliament of 1597–8, because its Journal affords material only for an episode. The Commons made no attempts against the government of the Church (Strype's Whitgift, 508); heard, but utterly neglected, one bill to remove "griefs inflicted upon certain of the clergy" (D'Ewes, 567); and projected others against the practices and abuses of the spiritual courts. (Ibid., 555–558, *passim*. Strype's Whitgift, 508, 509; Appendix, Book IV. No. XXXV.) Their seeming apathy concerning ecclesiastical affairs I am inclined to attribute to the armistice tacitly established between the ecclesiastical parties (*ante*, p. 580), rather than to suppose, with Mr. Neal (I. 212), that the Archbishop, who certainly used the influence of his sacred office to control the elections of the commonalty (Strype's Whitgift, 508), had thus succeeded in "modelling" the lower House.

In addition to these things, I think it necessary here to state how the same subject which I now introduce was then treated. Since it was first brought before the Commons in 1571 (*ante*, Vol. I. p. 386), the queen's patents had increased to an enormous extent, and their oppressive operations in proportion. In this House of Commons, on the seventh and eighth days of November, 1597, "the enormities growing by these patents" were freely discussed. A

sole privilege of selling certain articles of traffic, most of which were in general demand, and many of which were of general necessity. These privileges the patentees had farmed to others for stipulated considerations. These farmers had put their own prices upon the commodities of which they thus had control, making many of the necessaries of life costly beyond reason or endurance. Nor was this all; for they were guilty of oppression even beyond the limits of their patents, exacting sums at will from whoever they might accuse, or threaten to

committee was also appointed to take informations thereof, so that measures might be the more discreetly devised for their redress. (D'Ewes, 554, 555.) Afterwards, "a motion for a bill of petition to her Majesty touching monopolies" was made; but was supplanted by the appointment of a committee "to set down in writing what by them should be thought fit to be delivered to her Majesty by the mouth of the Speaker in behalf of the House." (Ibid., 570.) This was done. The writing — softened by "the humble thanks" of the House for what "the queen had already done in proceeding to trial of these things" (Ibid., 547) — was read and approved; the Speaker promising "to deliver its substance and reasons" (Ibid., 573) on the last day of the Parliament (Ibid., 554).* In his parting address to the throne on the 9th of February, he fulfilled his promise. We only know that he prayed "that the griefs touching these monopolies might be respected, and the grievances coming of them might be redressed" (Ibid., 646); even delivering word for word the writing presented to him by the House (Ibid., 648). But of these words we have no record. On this point of his address her Majesty replied through the Lord Keeper Egerton:—

* Mr. Hume signifies that this petition, or address, was made, was graciously received though vaguely answered, and that thanks for the answer were returned, — all *before* the last day of the Parliament. (III. 203.) He was probably led into this mistake by the exceedingly blind manner in which D'Ewes has stated the case (p. 513). But a careful comparison of this record with a clause in her Majesty's reply to the Speaker's valedictory reveals that the "humble thanks" mentioned by D'Ewes had reference, not to any answer from her, but to some feeble show of inquiry into these abuses which her Majesty had previously made.

If she had already been petitioned upon the subject, and had returned an answer, — an answer eliciting thanks, — what could it have been other than impertinence to address her again upon the same subject, and in presence of both Houses? And what could her second reply have been, under such circumstances, but a derogation of princely dignity to which no Tudor ever submitted?

accuse, of encroaching upon their parchment rights.[1] Hence thousands of grievances arose, which can be more easily imagined than specified.

It is due to the memory of that patriotic statesman, Lord Burleigh, here to state that no suit to her Majesty for these grants ever obtained his favor. In these matters, her action was of her own sole will and pleasure, and against his outspoken protest, that "Monopolies were cankers of the Commonwealth."[2]

Against these cankers, the last Parliament had remonstrated, and had received in reply a vague promise of redress. But four years had passed, and the evil was "nothing bettered, but rather grew worse." Hence it was, that this House of Commons had assembled in a surly mood, sympathizing

"Touching monopolies, her Majesty hoped that her dutiful and loving subjects would not take away her prerogative, which is the chiefest flower in her garden, and the principal and head pearl in her crown and diadem; but that they would rather leave that to her disposal. And as her Majesty hath proceeded to trial of them [her patents] already, so she promiseth to continue that they shall all be examined to abide the trial and true touchstone of the law" (Ibid., 547); .... "that she will take care of these monopolies; and that their griefs shall be redressed; if not, she will give her liberty to proceed in making a new law the next Parliament" (Ibid., 646).

Reading these words, we are constrained to exclaim, What had come over the spirit of the queen? Was it the shadow of a waning life? Was it a new-born sense of the vanity of rank, regality, and royal prerogative? Was it gloom induced by reading a handwriting like that which startled the rioting king of Babylon? Was it the dawn of a coming life, paling the gewgaws of the present? God only knows. But certainly it is with amazement that we find the imperious daughter of Henry *hoping* that her subjects would not touch that priceless prerogative of which she had ever been so jealous, upon the least approach to which she had always roused herself like a lioness from her lair. We leave the fact for the study of the wise.

[1] Hume, III. 236, 237. Rapin, II. 154.

[2] Peck, I. Book I. p. 41.

with a people who were thus suffering through the royal prerogative. The attack upon these monopolies was opened by Mr. Dyott of the Middle Temple, who offered a bill entitled "An Act against Patents purporting particular power to be given to sundry patentees." But, as the bill was very long, he gave way to Mr. Lawrence Hide, also of the Middle Temple, who offered a bill of only *twelve lines*, being "An Exposition of the Common Law touching those kind of Patents commonly called Monopolies." The reading of it was waived by the Speaker in a way which occasioned some grumbling.[1] Two days afterwards it was again offered, and the House clamorously demanded its reading. After it had been read, Mr. Spicer, Burgess for Warwick, said upon the question for commitment or engrossment: "This bill may touch the prerogative royal; which, as I learned the last Parliament, is so transcendent, that the eye of the subject may not aspire thereunto. Far be it therefore from me, that the state and prerogative royal of the prince should be tied by me or any other subject. . . . . I speak not either repining at her Majesty's prerogative, or misliking the reasons of her grants; but out of grief to see the town wherein I serve pestered and continually vexed with the substitutes, or vicegerents, of these monopolies, who are ever ill-disposed and dangerous subjects. . . . . The substitutes of the patentees for aqua-vitæ and vinegar not long since came there, and forthwith stayed the sale of both these commodities; and unless the sellers would compound with them, they would have them before the Coun-

[1] Townshend, 224.

cil. I examined their patent, and found that in their proceedings they had exceeded their authority in no less than three points. . . . . Yet one of these fellows stands indicted as an obstinate recusant; yea, when her Majesty hath been spoken of and prayed for, he hath refused to stir hat or lip. . . . . Such men, I say — transgressing the royal commission and abusing the warrant of her Council for the more favorable execution of their patents — are evil-disposed and dangerous subjects.[1] My humble motion is, that we may use some circumspective care to prevent this mischief; especially that we proceed by petition,[2] that so we interfere not with her Majesty's prerogative."

"For my own part," said Mr. Francis Bacon, "I ever allowed of the prerogative royal; and it is such as I hope I shall never see discussed. The queen, as she is our sovereign, hath both an enlarging and restraining power. By her prerogative, she may set at liberty things restrained by statute law or otherwise; and she may restrain things that be at liberty. For the first, she may grant *non obstante*, contrary to the penal laws. For the second, she may grant to the inventor or discoverer of some things beneficial to the commonwealth an exclusive right to use the same himself, or by his deputies, for a certain time; which things otherwise every subject of the realm might use. So, too, she may give to one man a license to transport corn when there is a glut in market; or to import it when there is a scarcity. . . . . But, Mr. Speaker," — pointing to the bill, — "this is no stranger

[1] Townshend, 230, 231. [2] Ibid., 241.

in this place; but a stranger in this vestment. The custom hath been ever ..... by petition to desire to have our grievances redressed, especially when the remedy toucheth her Majesty so nigh in prerogative. ..... I say, and I say again, that we ought not to deal or meddle with, or judge of, her Majesty's prerogative. I wish every man, therefore, to be careful in this point. I have discharged my duty on her Majesty's behalf, and do protest I have delivered my conscience."

"He that would go about to debate her Majesty's prerogative royal, must walk warily," said Dr. Bennet. "In respect of a grievance out of the city for which I serve, I think myself bound to speak; I mean a monopoly of salt. Fire and water are not more necessary. But for other monopolies of cards," —at this word Sir Walter Raleigh blushed,—"dice, starch, &c., they are, because *monopolies*, very hateful, but not so hurtful. There be a great difference in monopolies; and I think this of salt must walk in the fore rank. Now, seeing we are come to the means of redress, let us see it be so mannerly and handsomely handled, that after a commitment it may have good passage."

Mr. Hide said: "I confess that I owe duty to God and loyalty to my prince. I made this bill, and I think I understand it. Far be it from this heart to think, this tongue to speak, or this hand to write, anything in prejudice or derogation of her Majesty's prerogative royal and the State. ..... As I think it no derogation to the omnipotency of God to say, 'He can do no ill,' so I think it none to the person or majesty of the queen to

say the like in some proportion. Yet, because two eyes may see more than one, I humbly pray that there may be a commitment of this bill, lest something may be therein which may prove the bane and overthrow thereof at the time of passing."

"I know," said Mr. Francis Moore, "the queen's prerogative is a thing curious to be dealt withal; yet all grievances are not comparable. I cannot utter with my tongue, or conceive, the great grievances that the town and county for which I serve suffer by some of these monopolies. They bring the general profit into a private hand; and the end is beggary and bondage to the subject. We have a law for the true and faithful currying of leather. There is a patent that sets all at liberty, notwithstanding the statute. And to what purpose is it to do anything by Act of Parliament *when the queen will undo the same by her prerogative?* Out of the spirit of humility I speak it, — there is *no act of hers* that hath been, or is, more derogatory to her own majesty, more odious to the subject, or more dangerous to the commonwealth, than the granting of these monopolies."

Mr. Martin then said: "I speak for a town that grieves and pines, and for a county that groaneth, under the burden of monstrous and unconscionable substitutes of the monopolies of starch, tin, fish, cloth, oil, vinegar, salt, and I know not what; nay, what *not?* The principal commodities both of my town and county are engrossed into the hands of these bloodsuckers of the commonwealth. . . . . If they be let alone to suck up the best and principallest commodities which the earth hath given us, what

shall become of us from whom the fruits of our own soil and the commodities of our own labor, which with the sweat of our brows even up to the knees in mire and dirt we have labored for, shall be taken from us by warrant of supreme authority, which the poor subject dares not gainsay?"

Sir George Moore assented to the good matter of the bill, but objected to its form as a bill. "There be three persons," said he, "her Majesty, the patentee, and the subject; her Majesty the head, the patentee the hand, and the subject the foot. Now here is our case; the head giveth power to the hand, the hand oppresseth the foot, the foot *riseth against the head!* We know the power of her Majesty cannot be restrained by any Act. Why therefore should we thus talk? Admit we should make the statute with a *non obstante;* yet the queen may grant a patent with a *non obstante* to cross this *non obstante.* I think, therefore, that it agreeth more with the wisdom and gravity of this House to proceed rather by petition than by bill."

Mr. Wingfield reminded the House of the proceedings of the last Parliament. "At the close of it our Speaker moved her Majesty by way of *petition;* who answered by the Lord Keeper, 'That she would take care of these monopolies, and our griefs should be redressed; but if they were not, she would give us liberty to proceed *in making a law* the next Parliament.' Mr. Speaker, they ARE NOT! The wound is still bleeding! We grieve under the sore, and are without remedy."

"If," said Mr. Downall, "we proceed by way of petition, we can have no more gracious answer

than we had the last Parliament; since which we have had no reformation. The reason why I think we have had none is, that the cries against monopolies have never been greater or more vehement."

"Yet," rejoined Mr. Johnson, "I would we were all so happy, that her Majesty's gracious self had heard but the fifth part of that which every one of us hath heard this day. I think verily, in my soul and conscience, we should not be more desirous in having these monopolies called in, than she would be earnest therein herself."

The bill was then committed.[1] While yet in the hands of the committee, it was diversely discussed by different members as follows. One stated, that in his own neighborhood the effect of a patent for salt had been to raise the price from sixteen pence a bushel to fourteen and even fifteen shillings.

Mr. Solicitor Fleming stated that her Majesty had directed her Attorney and himself, in the beginning of the last Hilary-term, to take speedy and special cause for these patents.

"Last Hilary-term!" exclaimed Sir Robert Wroth. "Why not before? There was time enough ever since the last Parliament. I speak it, and I speak it boldly, these patents are worse than ever. I have heard in this House that there is a clause of *revocation* in these patents. If so, what needeth this stir by *scire facias*, *quo warranto*, and I know not what, when it is but to send for the patentees and cause a re-delivery? Why, *since* the last Parliament, when we were promised that these grievances should be *redressed*, there have been divers

[1] Townshend, 230 – 236. D'Ewes, 644 – 647. Hansard, I. 923 – 928.

patents granted! Do you ask, 'What?' 'How many?' Listen! Patents for currants, iron, powder, cards, horns, ox-shin-bones, train-oil, transportation of leather, lists of cloth, ashes, bottles, glasses, bags, shreds of gloves, anise-seed, vinegar, sea-coal, steel, aqua-vitæ, brushes, pots, salt, saltpetre, lead, accidences, oil, calamint-stone, oil of blubber, smoked herring, and divers others."

"Is not *bread* there?" exclaimed Mr. Hackwell of Lincoln's Inn.

"Bread!" "Bread!" "Bread!" cried one and another through the House.

"No!" quoth Hackwell. "But if order be not taken for these things, to put a stop to them, bread *will* be there before the next Parliament."

After the commotion had subsided, Mr. Townshend[1] said: "Though the petition made the last Parliament took no effect, we shall wrong her Majesty and forget ourselves if we think to speed no better now. That petition as drawn by a committee was delivered word for word by the Speaker at the *end* of Parliament. But we may hope for success by sending our Speaker forthwith, with humble suit not only to repeal all monopolies grievous to the subject, but also that it would please her Majesty to give us leave to enact that they may be of no more force than they are at common law without the strength of her prerogative. Let the Speaker also state that, though we *might now* do this, assuring ourselves that her Majesty would not deny the passing of a bill so reasonable, yet, as the cause so nearly toucheth her prerogative,

[1] The writer of the Journal which I cite all along.

we would rather not proceed therein without her privity and consent. I would also that every member of this House might legibly write down such monopolies as are grievous to himself, his county, or his town, the said writings to be delivered by the Speaker himself to her Majesty."

It had already been sharply mooted in the House whether they should proceed in this business by petition only, or by a decisive bill. There was a prevailing disposition for the latter course, although it might seem an encroachment upon the prerogative royal; although the queen for that reason might resent and reject it; and although, even with a clause excluding her dispensing power, and even should it become an Act, she might afterwards make it of no effect by first dispensing with the clause and then with the Act itself. Thus, while all were agreed that the monstrous evil in hand should be removed, the question, 'What is the most politic course?' was really complicated and embarrassing. Mr. Townshend's motion seemed to meet all these delicate points honorably and squarely. It was respectful to the prerogative, respectful to the queen, respectful to her constant profession of motherly regard for the weal of her subjects, respectful to the House itself in frankly avowing their right to proceed by bill in virtue of their own prerogative. The motion instantly brought Mr. Francis Bacon to his feet, full of enthusiasm and exultation.

"Why!" he exclaimed, "you have now the readiest course that can possibly be devised! I would wish no further order to be taken but to prefer

the wise and discreet speech made by the young gentleman that last spake, — even the *youngest* in this Assembly. I tell you that even out of the mouth of babes and sucklings the true and most certain course is propounded unto us."

The further consideration of the subject was postponed until Monday next, it being now Saturday.[1]

On Monday, the twenty-third day of November, the bill "to abolish all these monopolies"[2] was read. Mr. Spicer again spoke. In reference to his former remarks, he said: "I think it good that this bill were committed. I am no apostate, but stick to my former faith, that the way of petition will be our safest course. It is to no purpose to offer to tie her Majesty's hands by way of Act of Parliament when she may loose herself at her pleasure. I think it a course both unacceptable and uncertain. The best way is to have a committee to consider what course shall be proceeded in; for I doubt not we be all agreed on the reformation, though not on the process by which to effect it."

"God hath given that power to absolute princes," said Mr. Davies, "which he attributeth to himself, — 'I have said that ye are gods.' And as attributes he hath given them majesty, justice, mercy. Majesty, in respect of the honor that the subject showeth unto his prince; justice, in respect he can do no wrong, — therefore the law is (1 Henry VIII.), that the king cannot *contrary to law dispossess the subject of his rights*;[3] mercy, in respect he giveth

[1] Townshend, 238–240. D'Ewes, 647, 648. Hansard, I. 929, 930.

[2] Hume, III. 237.

[3] By these words in italics I have paraphrased the words in the Journal, — "cannot commit disseisin."

leave to his subjects to right themselves by law. . . . . Wherefore I think it most fit to proceed by bill, and not by petition."

Mr. Secretary Cecil then said: "The question was, the most *convenient way* to reform these grievances. But after disputation we have not received the expected fruit. Should every man take leave to speak for the common subject, I am afraid, in these *vast* powers of our minds, we shall dispute the project and reformation quite out of doors. . . . . I am a born Englishman and a fellow-member of this House, and would desire to live no day when I should detract either from the House or the prince's power. I am servant to the queen; and before I would consent to debase or abridge her prerogative, I would wish my tongue cut out of my head. I am sure there were law-makers before there were laws.[1] . . . . . For my own part, I like not these courses should be taken. And you, Mr. Speaker, should perform the charge her Majesty gave unto you at the beginning of this Parliament, not to receive bills of this nature; for her Majesty's ears are open to all our grievances and her hands stretched out to every man's petition. For the matter of access, I like it well, so it be first moved and the way prepared. I had rather all the patents were burned, than her Majesty should lose the hearts of so many subjects as it is pretended she will. . . . . I think it very fit to have a new commitment, to consider what her Majesty may grant, and what not; and what course we shall take, and upon what points."

[1] In which he was much mistaken, if he meant *promulgers* of laws.

Mr. Montague, premising that the prerogative royal had ever been maintained and allowed by the laws,, moved, "That we be suitors to her Majesty, that the patentees shall have no other remedies than by the laws of the realm they may have; and that an Act be drawn accordingly."

To which Mr. Martin responded: "I think the common grievance and the queen's prerogative have inspired the gentleman to make this motion. And because the House seems greatly to applaud it, may it please you, Mr. Speaker, to put it to the question, whether it shall be determined of by a committee?"

So the matter was again referred; the committee having in charge the consideration not only of Mr. Townshend's motion, but also of those made by Mr. Secretary Cecil and Mr. Montague.[1]

At the meeting of the committee in the afternoon, Mr. Davies again urged his former motion to proceed by bill, adding: "Let us do generously and bravely, like Parliament men. Let us send, ourselves, for these patentees and for their patents, and cancel them before their faces. Let us arraign them, as in times past, at the bar, and send them to the Tower, there to remain until they have made a good fine to the queen, and some part of restitution to some of the poorest that have been oppressed by them," — the boldest challenge of action under the royal prerogative of ordaining and dispensing[2] which was ever uttered during Elizabeth's reign. And yet we

[1] Townshend, 241–243. D'Ewes, 649. Hansard, I. 930–932.

[2] I say "dispensing," because some of the patents "dispensed" the patentees from obeying certain penal statutes.

are told that both courtiers and country gentlemen in the House admitted the restraining and enlarging power of the royal prerogative.[1] Perhaps they did admit it as a power permitted by long usage. But as a matter of legal right, we think it was denied by some in this House; as by the very bill before them, and pre-eminently by this outspoken proposition to annul what the crown had granted. We contend, therefore, that all "this discourse was" *not* "more worthy of a Turkish divan than of an English House of Commons."[2] The absolutism of the monarch was arraigned from step to step *throughout* "the discourse." But the conflict of opinion on the point of expediency was further shown by words from Mr. Martin.

"The gentleman that last spake," said he, "spake most honestly, *learnedly*, and *stoutly*. Yet thus much I must needs say, — his zeal hath masked his reason; and that, I think, was the cause of his fervent motion. I desire that it may be cooled by a petition in most dutiful and humble terms, most fitting to the majesty of the queen *and the gravity of this House*. So, I doubt not, our actions will have success."[3]

But nothing was concluded at this meeting of the committee, who adjourned until the afternoon of the next day.[4] "But in the *morning* of the next day"[5] there were loud confusion and murmuring in the House concerning these detested monopolies. This roused Mr. Secretary Cecil, who said: "The

[1] Hume, III. 237.
[2] Ibid.
[3] Townshend, 244.
[4] Ibid., 245. D'Ewes, 650. Hansard, I. 932.
[5] Hansard, I. 932.

duty I owe, and my zeal to extinguish monopolies, compel me to speak, that I may satisfy those who fancy that these evils will not be redressed. I have been a member of this House in six or seven Parliaments, yet never did I see it in so great confusion. I believe there was never in any Parliament a more tender point handled than the liberty of the subject and the prerogative royal of the prince. What an indignity, then, is it to each, that when any is discussing this point he should be cried and coughed down!" which had been repeatedly the case. "This" doing "is more fit for a grammar school than a Parliament..... Why! we have had speech upon speech, without order or discretion! One would have had us proceed by bill *to see* if the queen would deny it! Another, that the patents should be brought here before *us* and cancelled. This were bravely done! Others would have us proceed by petition, which doubtless is best. But under the first and second propositions, I think we should have had as bad success as the Devil himself could have wished in so good a cause..... I wish every man to *rest satisfied* until the committee have brought in their resolutions according to your commandment,"—intimating darkly that *some* measure was on foot by which "these evils" *would* be redressed.[1]

The excitement of the House had become intense. At the outset it had been acknowledged that they were throwing themselves into collision with that mysterious prerogative royal which had ever been counted "so transcendental that the eye of the subject might not aspire thereunto." Yet they were

[1] Townshend, 246, 247. D'Ewes, 651. Hansard, I. 932, 933.

holding it front to front with themselves, and looking it in the eye.[1] Though the dispensing power of the crown had been urged against proceeding by bill, though that power was admitted as an historical fact, and though cautions had been uttered against incurring the royal displeasure, there had been no recession. Otherwise. Something had been said about "the foot rising against the head"; about "*seeing* whether the queen would refuse a bill"; and about "bravely cancelling her grants at the bar of the House." Never had such language been heard, such indignation and daring been shown, or so stern a spirit been roused, since the crown had rested upon the Virgin Queen. All was reported at Whitehall by the courtiers who were of the House. Her Majesty saw the peril. She saw the "danger of losing the hearts of many subjects," of a formidable struggle with her Commons, and that their spirit

[1] The sensitiveness of the House touching their own prerogative, and their determinedness to sustain their own proper dignity, were strikingly manifested. "I think it fit," Sir Robert Cecil had said, inadvertently, when stating a certain matter, "that Mr. Speaker should attend my Lord Keeper therein."

"Attend!" exclaimed Sir Edward Hobbie. "Attend! It is well known that the Speaker of the House is the mouth of the whole realm; and that the whole state of the commonalty of a kingdom should attend one person, I see no reason. I refer it to the consideration of the House. Only this proposition I hold,—that our Speaker is to be commanded by none; neither to attend any but the queen only."

"I should be very sorry," replied Mr. Secretary, "to detract from any particular member of this House, much more from the general state. My meaning was mistaken, and my words misconstrued." (Townshend, 190, 191. D'Ewes, 627.)

A week afterwards, when canvassing the same subject, he said: "I mean not to repeat my former error, for which I was excepted unto; that is, that Mr. Speaker or any member should attend the Lord Keeper, but that four might be assigned to *go* to the Lord Keeper. I say, to *go* to the Lord Keeper to know," &c. (Townshend, 212. D'Ewes, 636.)

must be either crushed or soothed. Crushing was perilous. Soothing was safe; and she had a woman's skill. As she had discreetly avoided a struggle in 1571,[1] and openly receded in 1566,[2] what less could she do now, when the signs of strength and determination were so much more portentous?

While the House, yielding to the intimation of Cecil, were trying "to rest satisfied" for a while, the reason of that intimation was suddenly revealed. The very next day, after the transaction of some business "of no great moment," the Speaker rose, but without a word, until, by exciting the wonder of the House, he had procured perfect silence. At length he spake "to this effect."

"It pleased her Majesty to command me to attend her yesterday in the afternoon, from whom I am to deliver unto you her most gracious message. She yieldeth you hearty thanks for your special regard of those things which concern her kingdom; ..... for your speedy resolution in making so early and free a subsidy, which hath commonly succeeded, and never went before, your counsels;[3] and for

[1] *Ante*, Vol. I. p. 385.

[2] Ibid., p. 293.

[3] The amount of the subsidy (an extraordinary one) had been definitely agreed upon by the House on Saturday, the seventh day of November. On Monday, the ninth, a committee were appointed "to draw into the form of a bill the Articles *agreed upon*." Thus, although the bill did not pass until December 5th, the subsidy was *determined* before the agitation of the monopoly patents, which was not commenced until November 18th. Lord Campbell has, therefore, made an important mistake in saying, "a liberal subsidy being granted *in return* for the abolition of monopolies." (Lives of the Chancellors, II. 188.)

While the subsidy was under consideration, Mr. Serjeant Heyle asserted: "All we have is her Majesty's; and she may lawfully, at her pleasure, take it from us. Yea, she hath as much right to all our lands and goods as to any revenue of her

your loyalty. . . . . She further said, that as she had ever held our good most dear, so the last day of her life and of our lives should witness the same; and that not the least of her subjects was grieved but she herself was touched. She appealed to the throne of Almighty God how careful she hath been, and will be, to defend her people from all oppressions. She said, that she had understood through some of her Council, and divers petitions, that divers patents which she had granted were grievous to her subjects; and that the substitutes of the patentees had used great oppressions. But, she said, she never assented to grant anything which was *malum in se*. And if in the abuse of her grant there be anything evil (which she took knowledge there was), she herself would take present order of reformation. I cannot express unto you the apparent indignation of her Majesty towards these abuses. She said that her kingly prerogative was tender; and therefore desireth us not to fear or doubt of her careful reformation; for, she said, ... further order should be taken presently, and not *in future;* that some patents should be forthwith repealed, some suspended, and none put into execution but such as should first

crown." This monstrous doctrine was received with outbursts of indignation and scorn; and when the lawyer, endeavoring to contend against the storm, challenged that he could prove his doctrine by ancient precedents, he was again interrupted by tumult, until he yielded the contest and sat down. (Townshend, 205. D'Ewes, 633.) Mr. Hume says of this Serjeant Heyle, that "he was an eminent lawyer, a man of character." But Lord Campbell furnishes us with contemporaneous evidence that he was a man of *infamous* "character," and gives us reason to believe that his servile speech in the House was uttered to curry favor with the queen, at whose hands he was then hoping for promotion to one of the most important offices in the kingdom. (Lives of the Chancellors, II. 184 – 187.)

have a trial according to the law for the good of the people. Against the abuses her wrath was so incensed, that she said that she neither could nor would suffer such to escape with impunity. . . . . Now we see that the axe of her princely justice is laid to the root of the tree; and so we see her gracious goodness hath anticipated our counsels. God make us thankful, and send her long to reign among us!"

There had "seemed to be some danger that a long and glorious reign would have a shameful and disastrous end."[1] But the prerogative royal was spared, the prerogative of the Commons was left intact, the queen's character was presented in a new light, the rights of the people were recognized, the bill was rendered needless, petition was forestalled, and the excitement was appeased, by the timely interposition of the queen. Again she had receded before the gathering storm, and adroitly escaped its possible fury.

After a little pause and some whispered talk, Mr. Secretary Cecil, exulting in his very soul for the oil thus thrown upon the troubled waters, gave vent to his inward joy. "*Now*," said he, "there are no patents of force which shall not presently be revoked! for what patent soever is granted, there shall be left for its overthrow a liberty equal to the law. . . . . There is no patent, the execution whereof hath not been injurious. Would that they had never been granted! I hope there shall never be more!"

"Amen!" "Amen!" "Amen!" resounded through the House.

[1] Macaulay, I. 59 (New York 8vo. edit., 1849).

"..... I dare assure you that henceforth there shall no more be granted. They shall all be revoked..... A proclamation general will notify her Majesty's resolution in this behalf. Every man shall have salt as cheap as he can buy or make it. They who have cold stomachs or weak shall have the same benefit for brandy, beer, and the like. Train-oil shall go the same way. Oil of blubber shall march in equal rank. Brushes and bottles shall endure the same judgment. The patent for sail-cloth, if it be not called in, shall be. The proclamation against woad shall be revoked; only her Majesty prayeth thus much, that when she cometh on progress to see you, she be not driven out of your towns by your suffering it to infect the air too near them.[1] Those that desire to go sprucely in their ruffs may do it at less charge, for the patent for starch shall be repealed. Other patents shall be suspended and left to the law..... But I must tell you, there is no reason that all should be revoked, for the queen means not to be swept out of her prerogative. I say, they shall all be suspended, if the law do not warrant them..... Yet, as a caution, I must say, that whatsoever is subject to public exposition[2] cannot be good. Why,[3] Parliament matters are ordinary talk in the streets! In my coach I have been surrounded by a crowd who shouted, 'God prosper those who further the overthrow of monopolies! God send the prerogative touch not our liberty!'

[1] The queen had a remarkable antipathy to the odor of this plant, and by proclamation had forbidden its cultivation.

[2] Townshend.

[3] Ibid.

I will not imagine that any one here was of such an assembly. Yet will I give you this note. The time *was never more apt to disorder* and make ill interpretations of good meanings. I think those persons would be glad that all sovereignty were converted into popularity. . . . . But I must crave your favors a little longer. I have held the favor of this House as dear as my life. Yet I have been told that I deserved to be taxed yesterday of the House. My zeal to have the business go forward hopefully, and my fear to displease her Majesty by a harsh and rash proceeding, made me so much lay aside my discretion, that I said the House might rather be termed a school than a council, or words to that effect. But by this if any think I called him 'school-boy,' he both mistakes and wrongs me."

Mr. Francis Moore then moved that the Speaker present to her Majesty the thanks of the House for her princely goodness in voluntarily freeing her subjects from the thraldom of the monopolies, and that he should also ask her pardon for extravagant speeches made in the House. To which Mr. Wingfield replied, that nothing could have been more acceptable to her subjects than her Majesty's message; that a sentence of everlasting happiness could not have moved him to more *outward show* of joy.[1] He therefore assented to the motion for thanks, but objected to the other proposition; saying, "to accuse ourselves by excusing a fault with which we are not charged, were a thing in my opinion inconvenient, and unfitting the wisdom of this House." So

[1] Mr. Hume very unjustly represents him as saying, that "he could not have *felt* more joy." (III. 238.)

also said Mr. George Moore and Mr. Francis Bacon. It was finally concluded, "that thanks should be rendered by the Speaker," accompanied by twelve others named. But her Majesty refused to receive any expression of thanks until "by a more effectual consummation she had completed that work; at which time," she said, "she would be well pleased to receive their loves with thanks, and to return to them her best favors."[1]

We cannot recite the many curious utterances of the wild joy which now pervaded the Commons,[2] but must hasten to the close of this important transaction. The queen having sent word that she would receive and welcome such of the House, without limit of number, as might choose to attend upon her, the Speaker, with about one hundred and forty members, repaired to Whitehall on Monday, the thirtieth day of November. After her Majesty had taken her seat under the cloth of state in the Council-Chamber, the members of the House entered, and the Speaker, "after three low reverences," addressed her to this effect: —

"Most Sacred and Most Gracious Sovereign: We, your faithful, loyal, and most obedient subjects and Commons, ... do in all dutifulness and humbleness come to present . . . . . our most humble and thankful acknowledgment of your most gracious message, ... and our thanks for your Majesty's most abundant goodness extended and performed to us. . . . . Before we have called, your provident

[1] Townshend, 248 – 253. D'Ewes, 657. Hansard I. 938. Hume, III. 651 – 654. Hansard, I. 933 – 937. 238.

[2] Townshend, 257, 258. D'Ewes,

grace and all-deserving goodness have watched over us for our good; more ready to give than we can desire, much less deserve. The attribute most proper unto God — to perform all that he promiseth — ..... we must render unto you, ... as even now your most gracious Proclamation (of your own only mere motion and special grace for the good of all your people) doth witness unto us. We come not, one of ten, to render thanks, and the rest to go away unthankful; but all of us, ... prostrate at your feet, present our most loyal and thankful hearts, even to the last drop of blood to be poured out, and the last breath to be breathed for your safety."

All then kneeled, and her Majesty replied: —

"Mr. Speaker, ... I do assure you there is no prince loveth his subjects better, or whose love can countervail our love. There is no jewel, be it of never so rich a price, which I set before this jewel, — your love. ..... Though God hath raised me high, yet this I count the glory of my crown, — that I have reigned with your loves. ..... Therefore I have cause to wish nothing more than to content my subjects. This is a duty I owe; nor do I desire to live longer than I may see your prosperity. ..... Your intended helps — of subsidy — we take very acceptably, because it manifesteth the largeness of your love and loyalty. Of myself, I must say I was never any greedy, scraping grasper; nor a strait, fast-holding prince; nor yet a waster. My heart was never set on worldly goods, but only for my subjects' good. What you bestow, I hoard not; but receive to bestow on you again. Yea, mine own properties I count yours, to be expended for your

good. Therefore, I beseech you, Mr. Speaker, render unto my people such thanks as you imagine my heart yieldeth, but my tongue cannot express. — Mr. Speaker, I would wish you and the rest to stand up, for I shall trouble you with longer speech." When they had risen, — "You give me thanks. But I doubt me that I have more cause to thank you all, than you me. For had I not received a knowledge *from you*, I might have fallen into the lapse of an error only for lack of true information. Since I was a queen, never did I put my pen to any grant but upon semblance made to me that it was beneficial to my subjects in general, though a private profit to some of my ancient servants who had deserved well at my hands. But the contrary being found, I am exceedingly beholden to such subjects as would move the same at first. . . . . That my grants should be grievous to my people, and that oppressions should be privileged under color of our patents, our kingly dignity shall not suffer. Yea, when I heard it, I could give no rest unto my thoughts until I had reformed it. . . . . I assure you, it is more for conscience' sake, than for any glory or increase of love, that I desire these oppressions done by these varlets and lewd persons, not worthy the name of subjects, should not escape without condign punishment. . . . . I have ever used to set the last judgment-day before mine eyes, and so to rule as I shall be judged to answer before a higher Judge. To whose judgment-seat I do appeal, that never thought was cherished in my heart that tended not to my people's good. And if now my kingly bounty hath been abused, and my grants,

contrary to my will and meaning, turned to the hurt of my people, I hope God will not lay their offences to my charge. . . . . The glory of princely authority hath not so dazzled the eyes of our understanding, but that we well know and remember that we also are to render an account of our actions before the great Judge. . . . . Shall I ascribe anything to myself and my sexly weakness? Then were I not worthy to live, and much less worthy of the great mercies I have had from God, who hath ever given me a heart which never yet feared enemy at home or foreign. I speak it to give God the praise, as a testimony before you, and not to attribute anything to myself. For I, O Lord! what am I that I have not feared past practices and perils! O, what can I do, that I should speak for any glory! God forbid!" These last words she spake with great emphasis.

"This, Mr. Speaker, I pray you deliver to the House, to whom heartily commend me. And so I commit you all to your best fortunes and further counsels. And I pray you, Mr. Comptroller, Mr. Secretary, and you of my Council, that before these gentlemen depart into their countries, you bring them to kiss my hand."[1]

At the same time, the queen was sore at heart that so profane an approach had been made to her royal prerogative in the progress of their debates. At the close of the Parliament, the Lord Keeper by her commandment told the Speaker, — "Touching your proceeding in the matter of her prerogative, her Majesty is persuaded subjects never

[1] Townshend, 261 – 266. D'Ewes, 658 – 660. Hansard, I. 939 – 942.

did more dutifully, for she hath understood that you did but *incidentally* touch it, and no otherwise but by humble petition; and therefore she willingly yieldeth such thanks as a prince may give to her subjects, though she *now* perceiveth that private respects are privately masked under public pretence."[1]

"An Act for confirmation of grants *to* the Queen and of letters patent made by her Highness to others," was passed at this Parliament.[2] But it contained a special proviso, — "That this Act shall not make good any letters patent, or any part in them or any of them contained, of or concerning licenses, powers, or privileges commonly called monopolies."[3]

To what extent these patents were actually revoked, we are not able to determine. Certainly not all.[4] Some of them were cancelled outright. Some probably stood the test of the law to which the queen had referred them, while others failed under the same test; and probably others were suffered to stand without undergoing inquisition.[5]

Other matters of importance received the attention of the Commons. Bills were introduced discovering a sad state of public morals, showing the earnest desire of the House to correct them, and eliciting spicy and interesting debates. One was, to regulate ale-houses; another, against excessive and common drunkenness; another, to suppress false weights and measures; and another, against blasphemous swearing. From the debates

[1] Townshend, 150. D'Ewes, 618.
[2] 43 Eliz., Cap. I.
[3] Ibid., Sec. VIII.
[4] Hallam, 154, note.
[5] Carte, III. 712.

upon the last two bills, we find that false weights and measures were notoriously and shamelessly used, both in engrossing and in retailing,[1] and that open and dreadful profaneness existed to a scandalous extent, tripping like household words from the lips of children in the streets.[2]

Two bills were introduced concerning the Sabbath day; one for its better observance, the other against wilful absence from church. During the discussions of the latter bill, it was clearly shown that the neglect of public worship was very general, and that there was really "*no* law for the restraint of God's service";[3] for on this point the Act of Uniformity had become "a law without execution, a bell without a clapper."[4] Both bills failed; the latter by a single vote.[5]

A dash was also made at the old, festering grievance of pluralities. The bill was largely debated, but seems to have expired in the hands of a committee.[6]

This session of Parliament is not only memorable for the show of quarrel between the prerogative of the Commons and the prerogative of the crown, but also for a singular attempt to stifle freedom of speech. Hitherto, all contests on this ground had been between the lower House and the crown. But now, strange to say, this fundamental right was attacked in the House itself. We

[1] Townshend, 190, 273, 311. D'Ewes, 622, 623, 627, 629.

[2] Townshend, 188, 268. D'Ewes, 661. Hansard, I. 943.

[3] Townshend, 274, 275. D'Ewes, 663. Hansard, I. 945.

[4] Townshend, 224, 228.

[5] Ibid., 321. D'Ewes, 683. Hansard, I. 951.

[6] Townshend, 209, 218 – 220 D'Ewes, 639 – 641.

waive the particulars of the affair, interesting as they were. But it is gratifying to record that the attempt, originating with the courtiers, was indignantly and vociferously crushed by the House.[1]

The debates upon all these matters were extended, animated, in some instances tart and satirical. We pass them over thus lightly only because the material which they furnish is too large for our limits, and because they are less relevant to our main purpose than that which has occupied our attention. Nor do we wish to expend a word of comment upon the remarkable and sturdy attitude which the House assumed towards the crown, as the advocates and protectors of the people. The facts which we have recorded disclose sufficiently the temper, courage, and power of Elizabeth's last Parliament, and will readily be appreciated. It is sufficient to have discovered that a prince, morbidly jealous of her prerogative and proverbially imperious, though she preserved her dignity, was made to yield before the majesty of her Commons; and that the Commons, without derogating from it, signally prevailed against the majesty of the prince.

The close of Elizabeth's days was sad. Though conscious of decline, she seemed determined to defy and to belie infirmity by a great "show of ability" in walking,[2] and even by dancing in presence of her own and foreign courtiers. It was melancholy to witness all this; for the artifices by which she

[1] Townshend, 275 – 278. D'Ewes, 663, 664. Hansard, I. 945 – 947.
[2] Lingard, VIII. 403, note.

sought to conceal, did but betray her infirmities. The dullest eye perceived that her "jollity" was unreal, her step feeble, and her strength waning. But the saddest feature of her last days was the gloom which settled upon her spirit. It soon took on the type of a fixed and corroding despondency, —"a horror of great darkness." In June, 1602, she acknowledged to the French ambassador that she was weary of life;[1] and soon after her removal to Richmond in January, 1602–3, she abandoned herself to grief. "For fourteen days she slept scarce at all, and ate much less than usual."[2] Uniformly through her illness she refused all medicines, telling her councillors and physicians angrily, that, although she wished to die, she was not in so great danger as they imagined, and that she knew better than they her own strength and constitution.[3] Two days and three nights she sat upon her stool, dressed, could not be persuaded to go to bed, and refused all nourishment except once, when persuaded to drink some broth. Sometimes she would smite upon her breast and weep,[4] and sometimes sigh heavily and continuously, complaining that her "heart was sad and heavy."[5]

On the tenth day of March, she was thought at one time to be dead; but revived, and on the following day began to amend. Her excessive sleeplessness ceased for a while, and for more than a week she lay in her bed.[6] But again she became

[1] Birch, II. 505.
[2] Ibid., 506.
[3] Ibid., 506, 507. Strype's Annals, VII. 521. Carte, III. 696.
[4] Nugæ Antiquæ, I. 320–323.
[5] Osborne, 109, note.
[6] Birch, II. 507. Strype's Annals, VII. No. CLXV.; William

restless and wakeful; sitting continually upon the floor supported by cushions; sometimes not uttering a word for two or three hours, or even for twenty-four; holding her finger in her mouth with her eyes glaring fixedly downwards; giving vent to her griefs by sighs and moans; and daily growing weaker and more emaciated.[1] She listened with satisfaction to those of her prelates who visited her, to their words of spiritual comfort, and to their exhortations. She also joined in their prayers with every sign of fervent devotion.[2] But her deplorable state of mind and body continued until, having named James of Scotland her successor,[3] she expired peacefully and without a struggle, at three o'clock in the morning of the 24th of March, in the seventieth year of her age and the forty-fifth of her reign.[4]

It is impossible to determine precisely how far

Camden to Sir Robert Cotton. Wright, II. 494.

[1] Birch, II. 507. Osborne, 109, note. Hume III. 241.

Several causes of the queen's melancholy are specified by historians. I rely only upon those to which she herself alluded. *First*, her discovery that her nobility were neglecting her court, and "were already offering incense to the King of Scots." (Camden, 659, 660. Birch, II. 505, 506, *bis*. Dodd's Church History, III. 71, 72 (London, 1840). Hume, III. 240.) This being in her view *filial* estrangement, *filial* neglect, *filial* desertion, cut her to the heart. *Second*, the death of Robert, Earl of Essex, for whom she had an excessive affection, — though such as became her years, — strictly maternal in its character, but doting and sadly unfortunate in its influence. He was executed in February, 1600-1, for attempting by force of arms to seize the person of the queen and to make a revolution in the government. (Camden, 606. Birch, II. 464, 478.) There were circumstances — well known to historical readers — attending his death which peculiarly aggravated the sorrow of the queen.

[2] Strype's Whitgift, 558.

[3] The most reliable and consistent account of this fact is to be found in D'Israeli's "Curiosities of Literature," p. 353.

[4] Camden, 661. Birch, II. 507.

Queen Elizabeth was implicated in the great wrongs inflicted upon her Puritan subjects. While their principles were by no means inconsistent with a limited monarchy, they were antagonistic to the despotism which she loved and to which she clung; for in church affairs and in affairs of state the Puritan had "greatly advanced the interests of *the people*, and had curiously scanned the prerogatives of princes."[1] Of this she became jealous soon after her accession to the throne, and during the last twenty years of her reign she had the clearest evidence of it in the earnest and reiterated cry for a more popular form of church government, in the growing boldness of the House of Commons, and in their increasing scrutiny of the prerogatives of the crown. The prelates were constantly whispering in her ear that the Puritans intended foul and seditious proceedings, should other means prove unavailing, to establish their discipline; the bill filed in the Star-Chamber against Cartwright and his fellows was rank with the same charge; and through these different channels it gained her belief. Hence it was that she was so resolute to "root out Puritanism" by unsparing suspensions, sequestrations, and deprivations, so far as they might be inflicted "by lawful ways and means," or "according to the power limited by the laws, ordinances, and statutes of the realm."[2] Her own agency in this eradicating work we discover only in the instruments by which she constituted, empowered, and instructed her successive Courts of High Commission, and in the emphatic charge which she gave to Whitgift

[1] Hicks, 303.

[2] *Ante*, Vol. II. p. 338.

when she raised him to the primacy.[1] To the establishment of this court, the Puritans themselves did not object, — although they did to its rigors and unjust proceedings,[2] — nor do we find them taking exceptions to the very exceptionable language of the commission itself. Even Martin Marprelate complained not of the High-Commission Court, but of the Commissioners only. "Abuse not the High Commission, as you do, against the best subjects. The Commission itself was ordained for very good purposes, but it is most horribly abused by you, and turned clean *contrary* to the end wherefor it was ordained."[3]

Both the ecclesiastical and the municipal courts but little regarded the principles of justice, the obvious rules of testimony, the rights of the citizen, or even the meaning and intent of statutes. But the illegal and oppressive proceedings of either branch of her judiciary may not be charged upon the queen, unless, indeed, it can be made to appear that such proceedings were by her direction or had her connivance. This, we think, cannot be done. "She referred *all* ecclesiastical business *wholly* to Whitgift's management," and all civil prosecutions wholly to her judges. But the doings of these courts she did not and could not scrutinize, and we have yet to learn that she ever knew how frequently and flagrantly they violated their trust. She failed, to be sure, and culpably, to provide reasonable checks against the abuse of judicial power; but we find no evidence that she was privy

[1] *Ante*, Vol. II. p. 348.
[2] *Ante*, p. 278.
[3] Ibid., p. 386.

to the wrong done to Edward Deering and others, who were punished for opinions only;[1] none that she authorized Whitgift's "Three Articles"; none that she sanctioned the enforcement of any other subscription than that required by statute; none that she justified the racking inquisition which her Primate instituted under her allowance of "the corporal oath." On the other hand, it was her will that the servants of the crown, in each branch of the judiciary, should do justly, love mercy, and eschew all oppression of her people.[2] That they did otherwise was their own sin, not hers.

That Queen Elizabeth was ignorant of the illegal and protracted imprisonment of the Puritans and Barrowists without hearing or trial, that she was ignorant of their cruel usage in prison, and of the slight grounds upon which some of them were condemned to the death of felons, we have sufficient evidence. Witness the facts, that Archbishop Whitgift sought, through false informations and suggestions, to incense her Majesty against them; that their humble supplications to her were intercepted and suppressed; that her Master of Requests, Whitgift's creature, made it his *custom* to withhold such papers from her; and that, when one accidentally came to her hand, it was graciously

[1] I have heretofore expressed myself as though Elizabeth were assenting to prosecutions for men's opinions only, and had, therefore, violated her royal pledge to the contrary. Such opinions were formed, penned, and printed before meeting with documents by which they have been materially modified. It is now my opinion that she was *not* privy to such prosecutions, and that her great fault was her oversight in vesting her commissioners with powers but vaguely limited.

[2] Witness her solemn charge, *ante*, Vol. I. p. 299.

received.[1] Witness the language of a Puritan clergyman, when complaining of the outrages of Chief Justice Anderson: "Well, we will not be discouraged in our loyal affection to her Majesty, but will comfort ourselves with our rude country proverb, 'Much water goes by the mill that the miller never knows of.' Yea, we are *assured* that her Majesty would not have her own religion discountenanced, nor her quiet and loving people disquieted and grieved."[2] Witness the words of Penry: "I am *assured*, if her Majesty knew the equity and uprightness of our cause, we should not receive this hard measure which we now sustain. We and our cause are never brought before her but in the odious weeds of sedition, rebellion, schism, and heresy; and therefore it is no marvel to see the edge of her sword turned against us. I am *assured*, that if her Majesty may understand the uprightness of my cause in any sort, *one hair of my head shall not perish.*" Witness the words of Barrow: "If her Majesty *might be truly informed* of the things which have passed, she would freely and fully pardon our execution." Witness the language of the suffering church of Separatists: "O that her Grace and you did understand all our actions, and did see the several declarations of our souls, and loyalty long since proved. We should not then be long in the hazard of utter spoil of our bodies and minds, of evil air and diet, of the poor remnant of our goods and of our families' destruction. We are persuaded that the execution of Barrow and Greenwood was rather importuned and

[1] *Ante*, p. 501.

[2] Strype's Annals, VII. 372.

hastened by *others*, than easily consented unto by her Grace."[1] And finally, witness the lament of Elizabeth herself, when coolly told by her stern Primate that some of her subjects who had swung from the gibbet were the servants of God: "Alas! shall we put the servants of God to death?"

[1] Waddington's Penry, 258, note, 268; Memorial of the Church to the Lord Mayor.

CHAPTER XIX.

PRINCIPLES AND LEGISLATION.

False Statements respecting the Principles and Behavior of the Puritans. — Their Doings in Parliament. — Their Progress toward Civil Liberty.

To specify in detail the false statements which have obtained in history respecting the principles, purposes, and behavior of the Elizabethan Puritans, and to show the utter groundlessness of those statements, would be a protracted, but not difficult task. We give them only a passing notice, but sufficient for our purpose.

During this reign the Puritans were publicly charged with holding "that the people might lawfully resist the prince by force of arms if he hinder the building of the Church, i. e. their Presbyteries."[1] And even to the present generation it has been reiterated, not only that they held this doctrine, but that they did also plot and endeavor to carry it into practice. We have already produced evidence which, we think, will have convinced the reader to the contrary. Yet we will add the following solemn declaration, made in the year 1592, by the imprisoned Puritan ministers in a letter to her Majesty. "In all simplicity and purity of heart we declare, in the presence of Almighty God, to whom all secrets are

[1] Hicks, 297.

known, ... that, for procuring reformation of anything that we desire to be redressed in the state of our Church, we judge it most unlawful and damnable by the word of God to rebel, and by force of arms or any violent means to seek redress thereof; and, moreover, that we never intended to use or procure any other for the furtherance of such reformation than only prayer to Almighty God, and most humble suit to your excellent Majesty, and others in authority, with such like dutiful and peaceful means as might give information of this our suit, and of the reasons moving us thereunto."[1] An asseveration so explicit and so solemn is sufficient evidence, we think, of their innocence in the premises.

It has been constantly asserted, that, had the Puritans but behaved themselves peaceably, they would have suffered no molestation. On this point also we refer to the many proofs of the contrary which we have already presented; to the many instances in which peaceable non-conformists, and even conformists themselves holding Puritan opinions, were molested, prosecuted, suspended, and deprived. Particularly would we refer to the declaration made by the doctors of the University of Cambridge, that "divers of the friends and lovers of the Gospel, though carrying themselves in dutiful and peaceable sort, had tasted in some measure of more hard severity than many known Papists."[2] With still more emphasis do we cite the fact, that Archbishop Whitgift himself confessed that he put men to the oath *ex officio*, and to his interrogations that he might understand *whether they were* peaceable, as they pre-

[1] Neal, II. 446. [2] *Ante*, p. 400.

tended, or not.[1] Nor was this all of his testimony in the case; for when a Puritan declared to him, in 1593, "I conduct myself peaceably," his Grace replied: "*That is not enough. It is not sufficient that you do not preach against the bishops: you do not preach for them.*"[2]

Another grave accusation has been perpetuated against the Puritans. "The chiefest pillars of these platforms" — the Presbyterian — "stiffly maintain that, if princes do hinder them that seek for this discipline, they are tyrants both to the Church and ministers; and being tyrants, they may be deposed by their subjects."[3] "This was the Consistorian doctrine, that in this very case subjects might withstand their prince; that the ministers, after due admonition, might excommunicate him as an enemy against the kingdom of Christ; that, being so excommunicated, the people might punish him; and that thereby he ceased to be their king."[4] In reply to these statements, it is sufficient to quote from the prominent Puritan clergymen of the day, who doubtless knew their own sentiments better than did the writers whose words we have given. "We profess that excommunication depriveth a man only of spiritual comforts, without taking away either liberty, goods, lands, government, private or public whatsoever, or any other civil or earthly commodity of this life. Wherefore from our hearts we detest and abhor the intolerable presumption of the Bishop of Rome, taking upon him in such cases to depose sovereign

[1] *Ante*, Vol. II. p. 424.
[2] Brook, II. 116.
[3] Dr. Bancroft, in Hicks, 297.
[4] Whitgift or some of his chaplains; Strype's Whitgift, 264.

princes from their highest seats of supreme government, and discharging their subjects from that dutiful obedience that by the law of God they ought to perform."[1]

The doings of the Puritans in Parliament require a more extended notice, — more extended indeed than our limits allow. Their repeated contests with the Lords in defence of their own Parliamentary rights; their wariness in the framing of statutes, by which they baffled the covert purposes of the prelacy and of the temporal lords;[2] their uniform exercise of freedom of debate, even ignoring in the Commons' house the strait and even the special inhibitions of the queen; their persistent though cautious conflict with the arbitrary pretensions of the Crown, — a conflict so sturdy and ominous as twice to extort concessions, — all these things command our exami-

[1] Neal, II. 447. *Ante*, p. 436.

The Independents held like opinions. "The prince himself entereth into the Church, and is bound to the strait observation and obedience of God's laws in his calling, as well as any other; and is for any transgression thereof liable and subject to the censures and judgments of Christ in his Church, which are without partiality or respect of persons. Which censures and judgments, if the prince contemn them, he contemneth against his own soul, and is therefore by the same power of Christ to be disfranchised out of the Church. Though by this sin he loseth his right to be a Christian or a member of his Church, yet loseth he not his right to be a king or a magistrate, and is so to be held and obeyed of all faithful Christians who are his subjects." (Waddington's MS.)

On page 163 of this volume I have signified my purpose to examine at large the whole subject of the Puritan theory of the relation of the prince to the Church. But I now find that a full exhibition of the subject would occupy too much space. I must therefore pass it over thus slightly.

[2] For example, their careful qualification of 13 Eliz. Cap. XII., by limiting subscription to the Articles of Faith. *Ante*, Vol. I. p. 398. See also Vol. II. p. 194; Vol. III. pp. 561, 562.

nation. On the other hand, some of their legislation has a sinister aspect; and the superficial reader of their Parliamentary history will be apt to charge them with gross intolerance, fanaticism, and even barbarity; for the terrible laws against the Catholics had the hearty assent of the Puritans in Parliament and out of Parliament.

The statesmen and legislators of the day — to say nothing of the common people — understood clearly the genius of Popery, the purposes of its devotees against the Protestant government of England, and the covert measures by which they intended to effect those purposes. Elizabeth's ministers, and in due time her Parliament, knew that so soon as the crown was placed upon her head, and her Church Establishment determined, — so soon as it was apparent that the virgin prince would own no fealty to Rome, — so soon plots were formed for her assassination, and foreign leagues were formed to rifle her crown[1] and to subvert her government.[2] All these projects not only had a Catholic origin, but were religiously identified with the paramount interests of the Catholic faith. With the full knowledge of these facts, and with the single object of *preventing* treasonable practices, the Parliament of 1571 passed a law which, according to *its letter*, exposed even such Catholics as might be innocent of disloyal act or intent to terrible punishment. We do not justify the letter of this law. Still, is there not some palliation for its extreme severities in the peculiar perils to which the realm was exposed?[3]

[1] *Ante*, Vol. I. p. 277, note, 337.
[2] Ibid., pp. 342–349, 360 and note.
[3] Ibid., p. 397.

Let the reader examine with care the succeeding acts of Parliament against the Catholics, in which the Puritans were implicated; let him consider the growing strength and malice of England's Catholic enemies abroad, their persistent efforts to excite an armed rebellion at home, the many attempts to assassinate the queen,[1] and the avowed object of the Spanish Armada; let him remember that all these attempts against the throne and person of Elizabeth had a Catholic origin, and were for the propagation and triumph of the Catholic faith; and then let him ask whether there were or were not such reasons to fear Catholic treason at home and in any form, as in some degree at least to justify precautionary measures in the shape of penal statutes, and to constitute some apology for the extreme severity of those statutes. But the best testimony which we can produce in justification of these statutes is that of Romish priests themselves, given publicly in the year 1598. "From the beginning of her reign," they wrote, "the queen had dealt *favorably* and *mercifully* with the Papists, ... till the year 1580, when the Jesuits first crept into England, when their wicked designs and their practices against the State . . . . . *enforced* the making of rigid and severe laws against the Catholics, ... and she was *necessitated* to use severity against this kind of men, unless she would betray both her own and her kingdom's safety and security."[2] It should also be borne in mind, that

[1] The last attempt was in 1594, and was instigated by the Spanish monarch. (Murdin, 669–674. Stow, 766, 768. Lodge, II. 224 and note. Wright, II. 435, note. Hume, III. 195.)

[2] Camden, 651, 652. The law of 1571 was evidently constructed in

the terrible laws under consideration were intended, in many important respects, only to overawe the English Catholics, and to deter them from treasonable associations and treasonable practices. Had the intention been otherwise, the laws would have been carried into effect, and thousands and thousands of English subjects would have been slaughtered upon the scaffold or imprisoned under a præmunire, who yet were suffered to live, and we believe to live at large. The queen and her government knew that most of her Catholic subjects were loyal, and were ready to lay down their lives in her defence against any foreign power, whether secular or spiritual. Thus the operation of the laws which we notice was to a large extent suspended. We find no record that any suffered the penalty of a præmunire for "bringing, delivering, causing to be delivered, and receiving with intent to wear and use, any *Agnus Dei*, crosses, pictures, beads, or such like, consecrated by the Pope or his authority."[1] We find, indeed, one case of a woman who had harbored a Catholic priest, and suffered the horrible torture, unto death, of the *peine forte et dure;* but this was not because, contrary to the Act of 1571, she had harbored the priest,[2] but because she refused to plead either guilty or not guilty.[3]

So far as the penalty of death was concerned, it was the rule of the government to carry these laws into effect only in cases of veritable treason. In some instances, perhaps many, as in the cases of

anticipation of Jesuitical plots, of which the government were well informed.

[1] *Ante*, Vol. I. p. 396.

[2] Ibid. For which the penalty would have been that of a præmunire.

[3] Lingard, VIII., Note P.

Mayne and Tregian, persons innocent of treasonable intent or act suffered. But such were cases in which treason and complicity with treason were *supposed to have been proved.* The queen *complained* that she was often compelled to resort to the extreme penalty of the law, "unless she would suffer the ruin of herself and her subjects, upon some men's pretence of conscience and the Catholic religion. Yea, for the greater part of those silly priests, she did not at all believe them to be guilty of plotting the destruction of their country; but the Superiors were they she held to be the instruments of this villany, for these inferior emissaries committed the full and free disposure of themselves to their Superiors."[1] Consequently, instead of demanding the blood of the "silly priests" in due course of law, she transported scores and scores of them; some of whom had been condemned, others of whom were in danger of the law.[2] More than this: many of the Catholic clergy she suffered to remain within the realm, and, we think, without persecution to the day of her death.

The fine of twelve pounds per lunar month for recusancy was in very many cases nominal; for the queen substituted for it various sums, from forty pounds to six pounds per year, according to individual ability.[3] That money was extorted and property rifled from peaceable and loyal Catholics by strolling ruffians in disguise of the queen's officers, was not the fault of her laws; nor was it the fault of her administration, for whenever they could be discovered

[1] Camden, 271.
[2] Ibid., 295, 652.
[3] Strype's Annals, VI., Appendix, Book II. No. XIII.

they were as surely punished for these their crimes as the highwaymen on Shooter's Hill.[1]

These facts, we think, justify us in saying that it was never supposed by those who enacted these laws, that they would be carried into general and literal execution. If this opinion be correct, then the inhumanity of the Puritans in this part of their legislation is more apparent than real.

The act of 1592–3, "to retain the queen's subjects in their due obedience,"[2] has been denounced as "one of the severest acts of oppression and cruelty that ever was passed by the representatives of a Protestant nation and a free people."[3] This is a grave charge against every Puritan who gave assent to the bill upon its passage in the Commons.

We have already had occasion to state that, while the Puritans sought most earnestly and persistently for the reformation of the Church, and particularly insisted that the godless and profane should not be embraced within its pale and brought to its holy sacraments, they still clung most religiously to the old idea of ecclesiastical unity. Hence it was, that, corrupt and unscripturally organized as they considered the national Church, they still held that it contained within itself a true Church of Christ, and therefore they abhorred separation from its worship and communion as a sinful schism. Inasmuch as Church and State were made *identical* "by the blowing of her Majesty's trumpet at her coronation," they held that Parliament might rightfully enact laws for

[1] Strype's Annals, VII. p. 397.
[2] *Ante*, p. 563.
[3] Neal, I. 197.

ecclesiastical government and for the punishment of ecclesiastical offenders. Radically wrong as their theory was, they acted consistently with it and conscientiously. We should therefore consider their passing of this bill for checking and punishing separation, not as an act of heartless "oppression and cruelty," but as a natural result of their mistaken view of Christian duty.

But we go further. We justify the Puritans in the passing of this bill. The spiritual lords, as we have stated, were desirous to rid themselves and the secular judges of the odium which attached to the forced construction of the Act 23 Elizabeth. To accomplish this, by substituting a new law which should expose the Puritans to most cruel punishment, they had instigated and carried in the Lords a special bill. This bill had been sent down to the Commons. This bill the Puritans virtually rejected, by so modifying it that it applied only to the Separatists, subjecting them to banishment, but leaving their lives in their own hands. This was a compromise. It spoiled the trap which the bishops had set for the Presbyterian Puritans,[1] but it provided penalties for the more obnoxious Independents. The prelates were fain to accept it.[2] It barred all further proceedings against either party upon that construction of 23 Elizabeth which made writing or speaking against the bishops the same as "seditious matter" against the queen.[3] But for this special and specific statement future prosecutions of Presbyterians and of Separatists would have been

[1] *Ante*, p. 563.
[2] Ibid., pp. 516, note, 560, 561.
[3] Ibid., p. 426.

based upon the Act 23 Elizabeth as it had been strangely interpreted by the courts. Thus by the passage of this new bill the Puritans in Parliament only shielded their Presbyterian brethren, and provided *a milder punishment for the Separatists.* They substituted banishment for a felon's death. They softened the liabilities of their brethren of the Separation *as far as they could.* In what, then, consisted their "oppression and cruelty"?

To a cursory reader it may seem strange and bootless that the Puritans should have persisted in introducing and passing bills in the Commons for ecclesiastical reform, when they were well assured that such bills must fail for lack of the royal assent. The question naturally arises, — What did they accomplish? We answer, "Much." They were accustoming themselves to scrutinize and adjudge religious and civil abuses. They were educating themselves in the mysteries of civil government. They were training themselves to a better and better acquaintance with the principles of civil liberty. They were discovering the true line of demarcation between the rights of the throne and the rights of the people. In short, by all their Parliamentary struggles and debates they were advancing in political knowledge, and were preparing themselves and the people, slowly but surely, for grand results erelong to be developed. These results had their origin in the dispute about linen and woollen, — the cap and the surplice. Persecution had reminded the inferior clergy that there was a Magna Charta. They fell back upon it, and planted themselves upon

their rights as Englishmen. Their pleas for religious rights were caught up, reiterated, discussed and urged on the floor of Parliament; and then, by natural consequence, there followed the study, discussion, and assertion of civil rights, — the cry against royal oppression and the plea for the rights of the people, — beginning with the loud remonstrance against purveyance, and culminating in the remarkable and triumphant struggle against monopolies.

We do not claim for the Elizabethan Puritans that they had well-defined and correct ideas of civil liberty. For example, the dispensing power of the sovereign — utterly in mockery of all legislation and practically a canker at the root of civil liberty — seems still to have been generally admitted, although by some in Elizabeth's last Parliament we think it was roundly questioned.[1] Still the Puritans had progressed in an important degree toward that freedom which is now the glory of their fatherland. Not only had they persistently and "curiously scanned the prerogatives of princes, and greatly advanced the interests of The People,"[2] but, against the will and the power of hierarchy and prince, they had advanced principles and assumed positions in Consistory and Parliament which erelong produced momentous results. Free Worship, Free Thinking, Free Speech, a Free Press, and Free Trade, — such were the aim, and such were destined to be the fruits, of their labor.

[1] *Ante*, pp. 615 – 618, 624, 625. For the origin and nature of the dispensing power, the reader is referred to Hume's History, Vol. IV. p. 424, Chap. LXX.

[2] Bancroft, in Hicks, p. 303.

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